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ABORTION

BEYOND ASSUMPTIONS

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NEWS AND VIEWS

No one deserved more the kind words that are said in death about the best and the worst than Joseph Cardinal Ritter, one of the very best. In many ways he epitomized what the modern Church leader must be, if the Church is to be believable and relevant.

The eulogies of Cardinal Ritter dwelled on his effectiveness at Vatican II and his contributions to Christian unity, liturgical reform and various Church questions. His place in history, however, may rest more on his involvements in community. At a time when the challenge was to anchor the Church in the changing American city, Cardinal Ritter responded in fashions that made St. Louis an exemplar among American dioceses.

The integration of St. Louis' Catholic schools in 1947 was only the most publicized of his responses. That decision, incidentally, not merely anticipated the 1954 Supreme Court ruling on school integration; it helped precipitate it by dramatizing the manner in which the spirit of the U.S. Constitution could be subverted by the letter of state charters. For even if the St. Louis public school system wanted at the time to follow the lead of the Catholic schools and integrate, it was precluded from doing so by the Missouri constitution.

There were numerous other actions initiated by Cardinal Ritter that intensified the Church's commitment to community, particularly among the culturally depressed, the sick and the aged of all denominations and belief. These gave substance to words Cardinal Ritter once spoke to his priests:

"The Church must be the champion of the active virtues. It must not content itself with merely defining them, nor can it afford to treat them as though they were only academic subjects. It must, especially through its priests, practice them."

Cardinal Ritter's career was not free of gaffes; whose is? In the last year or two of his life he disappointed some of the hopes of progressives. But, on bal-

ance, Cardinal Ritter's career was marvelously inspiring and constructive. He will be sorely missed.

Signals over on the *imprimatur's* withdrawal from Fr. James Kavanaugh's forthcoming book, *Man in Search of God*. RNS has corrected its earlier story (the basis of an item here June 23). RNS reports now that Bishop Leo Pursley regrets having given the *imprimatur*—but the *imprimatur*, having been given, will remain. "The whole subject is very unimportant," Bishop Pursley is quoted. "You know the *imprimatur* is on the way out."

The Fellowship of Reconciliation is asking religious groups to hold memorial services July 8 and 9 for Thich Nu Nhat Chi Mai, the Vietnamese student and Buddhist nun who immolated herself May 15 at Tu Nghiem pagoda, near Saigon. FOR's aim is not "to 'glorify' this young Buddhist nun's taking of life, even her own, but merely to honor her selflessness and desperate courage in bringing the dreadful dilemma of the war home to the people of both Vietnam and America." FOR is also anxious to publicize the nun's last words. Among the most moving:

"I promise myself to take this body to make a torch—to enlighten ignorance; to wake up men; to bring *Peace for Vietnam*.

"I shall bow in prayer courageously, composing myself, and sitting down exactly amidst red flames.

"I shall kneel to join in making a lotus, and murmur—Vietnam."

Man, the Metaphysical Being Dept.: "For 25 centuries men have busied themselves with philosophy, but there is still not even a modest number of theses about which philosophers have reached agreement. Perhaps we may even say that there is not a single philosophical

proposition which is not denied by one or the other thinker. . .

"Whenever a new philosophy makes its appearance, bad or unauthentic philosophers turn their eyes to the new system to see whether or not it presents at last *the philosophy*. Of course their expectation meets with disappointment, i.e., they remain bad, unauthentic philosophers. The authentic philosopher knows better, for he realizes that there never was and never will be any such thing as *the philosophy*. He is keenly aware of the fact that, if *the philosophy* existed, there would no longer be any true philosopher. . .

"For authentic or genuine philosophizing is essentially original; it is a personal affair, a questioning and replying of man *himself*. It is life which raises the philosophical questions. . . ."

Those are the opening sentences of William A. Luijpen's *Existential Phenomenology*, a book cited in the June 10 *Saturday Review* among the "milestone" publications of scholarly presses that "have altered many aspects of 20th century civilization and greatly stretched its thought." The accolade might be a little lofty; but, then again, Fr. Luijpen's book has been used by some 200 institutions of higher learning as an introductory text to existential-phenomenological thought and method. And if the book does not account for streams of modern philosophical consciousness, the opening sentences help explain a part of the modern ferment. The book was published by Duquesne Press, 1960.

Other "milestones" in the *Saturday Review* round-up: *Strategy of Survival* by Thomas L. Martin, Jr., and Donald C. Latham (Arizona); *Systematic Theology* by Paul Tillich (Chicago); *Beyond the Melting Pot* by Nathan Glazer and Daniel Moynihan (MIT); *Strangers in the Land* by John Higham (Rutgers); *The Gutenberg Galaxy* by Marshall McLuhan (Toronto); *The Lonely Crowd* by David Riesman *et al.* (Yale); *Vatican II: An Interfaith Appraisal*, edited by John Miller (Notre Dame).

A surprising omission: *Contraception* by John Noonan (Harvard)—far more a milestone than many in the listing.

JOHN DEEDY

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Descriptive Terms

Washington, D. C.

To the Editors: I am concerned about your use of terms that assume the resolution, in favor of your viewpoint, of what seems to me a still debatable question.

The May 19 lead editorial says that Bertrand Russell's war crimes tribunal may have the good effect of leading "the hawkish" to "ponder anew the immoral, possibly fatal adventure that the United States is upon. . . ."

In the same issue, Jeffry Kaplow speaks of the American intellectuals who oppose the war in Vietnam. One horn of their "dilemma" is "the knowledge that the war is morally and politically wrong and must be stopped."

What I object to is the use of the adjective "immoral" in the editorial and the use of the noun "knowledge" and the descriptive terms "morally . . . wrong" by Mr. Kaplow.

"Knowledge," as opposed to "belief" or "opinion," implies, it seems to me, a kind of objective certainty that I do not find available in the matter of Vietnam. Characterization of the war as "immoral" involves, it seems to me, selectivity in the premises from which conclusions are drawn.

I propose for your consideration the following reflections, which, I think, have some bearing on the matter.

I. Any war in which *X* number of non-combatants is killed is immoral and must be repudiated.

The war in Vietnam is a war in which 250,000 non-combatants have been killed.

The war in Vietnam is immoral and must be repudiated.

But,

World War II was a war in which several million non-combatants were killed.

World War II was a war, therefore, which was immoral and should have been repudiated.

However, had it been repudiated, there would be today a pan-European fascist state and a pan-Asian fascist state.

II. Any government that executes a
(Continued on page 430)

AGAIN A DECISION

As William V. Shannon commented in these pages several weeks ago, a significant shift is taking place in opinion on the war in Vietnam: if the polls are to be trusted, the public at large is becoming more and more hawk-like; at the same time, opinion leaders and, at least in private, lower-echelon government officials are becoming increasingly pessimistic about United States escalation of the war, especially the escalation of our air war against North Vietnam.

A comparable shift may be seen in the case of C. L. Sulzberger of the N.Y. *Times*. Formerly classified as more hawk than dove, Mr. Sulzberger recently urged that the period after the Middle Eastern crisis be used for "decisive efforts to end the Vietnam war," and not by escalating the fighting still further. Through no doing of our own but through the failure of Soviet policy in the Middle East, Mr. Sulzberger argued, the balance of world power has shifted in our favor. The time has come, then, he said, for an all-out effort for peace, including an end to the bombing and a dramatic trip to Geneva by President Johnson.

The same week it was also reported that UN Ambassador Arthur Goldberg had quietly aligned himself with those seeking a deescalation of the bombing of North Vietnam. Ambassador Goldberg's position is said to be like that of Republican Senator John Sherman Cooper of Kentucky, who urged that we stop bombing the Hanoi-Haiphong area and limit ourselves to infiltration routes. Such a cut-back would serve as a peace probe, Senator Cooper believes, and would reduce the peril of World War III. Also significant was the vigorous defense by New York's liberal Republican Senator Jacob Javits of the controversial GOP "white paper," which questioned whether Republicans should support Administration policy in Vietnam. The paper's suggestion that U.S. involvement in Vietnam was essentially a mistake by the Kennedy and Johnson Administrations has been denounced

by GOP hawks, but the position of Senator Javits reflects growing support for the white paper by liberal Republicans who want to dissociate themselves from the Administration's war policy before next year's elections.

It is against this backdrop of increasing sentiment for peace among opinion-leaders that the Administration continues the war; it is against this backdrop that suggestions persist that what the U.S. needs to finish off the war is a master military stroke, "like the one by the one-eyed Israeli general," and that Premier Ky of South Vietnam asks for more U.S. troops. Once again it is being argued that one more escalation is all that is needed to put us over the top—a familiar tune indeed. Once again the nation seems to be reaching a significant turning-point; if the Administration does not change course, newspaper headlines may soon inform America that United States troops have invaded North Vietnam in force, with all the dangers of massive Chinese intervention that this course would bring.

For our part, we can only repeat our total opposition to further expansion of the war. The United States should deescalate, not escalate, and we should take the first step toward peace by putting a stop to the bombing of North Vietnam immediately, bombing which only prompts the enemy to send more troops to fight us on the ground.

As for Premier Ky's request for an increase in U.S. troop strength to 600,000, at one time this could have been met very simply, with one fact and one quotation: the fact, that South Vietnam itself has under arms 600,000 men in addition to the 462,000 U.S. forces already there, as compared with less than 300,000 Viet Cong and North Vietnamese; the quotation, John F. Kennedy's last words on Vietnam: "In the final analysis it is their war. They are the ones who have to win it or lose it. We can help them; we can give them equipment; we can send our men out there as advisers; but they have to win it." However, although President Kennedy's words once made sense, they do so no more, and everyone knows it. Everyone knows that Ky is our puppet and that his government could not stand for a week without our support. These facts do not mean, of course, that President Kennedy was wrong; they simply underline the essential bankruptcy of the course the United States is now pursuing in Vietnam. Instead of more and more escalation, why do we not face up to this fact?

THE DODD DILEMMA

At first it appeared it was the allegedly superior dignity of the Senate that accounted for the solicitous approach of Senator Thomas Dodd's colleagues toward him in his time of travail. His treatment stood in sober contrast to the precipitous action taken against Congressman Adam Clayton Powell in the House. Whatever Mr. Powell's defects of character and personality, he was treated with a

recklessness that ultimately reflected on his peers. The Senate appeared anxious to avoid a similar blunder in the Dodd case—or so it seemed.

The sanguine notion of a thoughtful Senate proceeding courageously along paths of duty and justice was dispelled early—even before Senator Dodd's bungling defender, Senator Russell Long, intruded his comic-opera presence onto the stage. The indications were multiple that Senate lamentations about dishonor and disrepute brought on by Senator Dodd's manipulation of campaign funds and expense accounts were in great part pious preachments. Conscientious sincerity seemed pretty much confined to the Ethics Committee, which investigated the charges against Mr. Dodd. Senator Eugene McCarthy's threat to resign from that Committee if the Senate substantially reduced the Committee's recommendations was evidence of how much the mood of the Senate differed from the Ethics Committee. More than a few saw that by temporizing the Senate stood in danger of compromising itself as a body.

In a way much of this was understandable. It is a painful task to sit in judgment on one's colleague; it is especially painful when the judging must be done within an institution as hallowed as the United States Senate. The temptation, of course, would be mighty to be indulgent in the one direction so as not to be damaging in the other—except that this, too, would be fatal. It was the dilemma that rested at the heart of the Dodd case.

Actually the further the Senate proceeded with the Dodd case, the less important became Senator Dodd. For the challenge passed not merely from rendering justice in the instance of an individual, but to the devising of a code of conduct for the Senate as a whole.

The notion of a Senate code of conduct is something for which it is hard to generate enthusiasm. Honesty and trust are qualities one prefers to presume in those who occupy the exalted office of U.S. Senator. However, as is known from cases as current as Senator Dodd's, Senators are no less human than the rest of mortals. The irony is, though, that Senate ethics are presently so grey and undefined that it is quite possible for individuals to be at fault by indirection. This was part of Senator Dodd's defense; and it is the possibility to be eliminated.

In this context, the case of Senator Dodd is less important for what happens to him, than what results from his exposure. The Dodd case will be of limited significance if out of it does not come a clear code of ethics, one that goes beyond the obvious forms of graft and theft to grapple with the subtleties of patronage and conflict of interest; one that addresses itself not only to the office holder, but his staff and that of the whole Senate; one that covers relationships with business and lobbyists; and, most important, one that provides for annual public accounting on amounts and sources of income. Such a code would protect many future Senator Dodds against themselves.

Harangues and Hurrahs in Boston

Something is brewing in Boston politics, but what happens between now and September will not be a tea party.

When the dust settles in a few weeks, the city is apt to find that it has a dozen candidates for mayor. What will emerge from this free-for-all in September, when a primary election trims the field to two, is anybody's guess. One sure thing is that it will be lively. Another is that vital issues face burial under the sheer profusion of candidates. But a few major personalities, and perhaps even a few issues, will probably take the spotlight.

At the moment, one candidate holds the center of attention—Louise Day Hicks, member of the Boston School Committee and focus of the city's long and bitter controversy over de facto segregation in the public schools.

When the incumbent, Mayor John F. Collins, announced on June 6 that he will not seek a third term, a good many Bostonians thought immediately of Mrs. Hicks, who has sparred with Collins more than once in the city's political in-fighting. Hicks supporters have hinted occasionally that the mayor was reluctant to face her at the polls, where her totals have been phenomenal. But this is improbable.

John Collins is not a man to avoid a political scrap. Last year, seeking the U.S. Senate seat which ultimately went to Republican Edward Brooke, Collins and his personal organization took on virtually the whole Democratic leadership of Massachusetts, including the prestigious Kennedys, in a free-swinging primary campaign. The interpretation favored by his friends is more likely—that Collins did not withdraw from the race until he was sure that Mrs. Hicks would lose. This probability was indicated in a recent poll surveying a broad field of candidates. Nobody had a clear majority in the poll, but Collins drew nearly 2½ times as many votes as Hicks, 32 percent vs. 13 percent. In between, with 22 percent, was the current favorite among those who have so far announced their candidacy, Kevin H. White, Massachusetts Secretary of State and the major Democratic survivor of last year's Republican sweep on the state level. None of the others in the poll had more than 4 percent.

Polls are not always very helpful, however, in predicting what the voters will do when Mrs. Hicks is involved. Past experience with opinion sampling indicates that Hicks does better in the privacy of the voting booth than in face-to-face confrontations between voters and pollsters. The hard electoral fact is that, in the last few elections in Boston, running for a minor, unpaid office, she has consistently polled far more votes than anyone else running for any office.

There are still two big "ifs" in Boston's mayoralty campaign. Community and business leaders are trying to persuade Mayor Collins to reconsider and to seek a third term. If he does, a Hicks-Collins campaign next fall will probably give Boston its hottest fight since the Battle of Bunker Hill.

If Collins remains firm, however—and his decision seems to have been made and stated with finality—the other major possibility (almost a certainty as this is being written) is a contest between Mrs. Hicks and Edward J. Logue, the director of the Boston Redevelopment Authority and a strong right hand to Collins in the urban renewal ventures which have nearly made Boston a new city.

Mr. Logue, who refused to run while there was any uncertainty about Collins' intentions, would certainly have a warm endorsement from the outgoing mayor, and most likely the advantages of his political experience, contacts and organization.

He will need them. Logue is an able administrator, an incisive thinker, a man keenly attuned to the intense and intricate problems which face Boston. He would undoubtedly receive enthusiastic support from the civic leaders and the academic community of Boston, and the businessmen, who see the advantages of urban renewal, would give him generous financial support. A political campaign by Logue, like the other major projects he has engineered in Boston, would surely be a beautiful thing to contemplate—for efficiency, style and thoroughness.

Against these assets, Logue has a number of disadvantages. He is inexperienced in political campaigning; he has also been a subject of violent controversy. His identification with urban renewal and with the dramatic transformations Boston has undergone has won him bitter enmity in some areas—the Charlestown section for instance, which has some of Boston's worst slums but also some of the city's most violent opponents of redevelopment. City councillor Catherine Craven, who speaks for a large element in Charlestown, has made much of her political reputation through violent invectives against Logue.

One of the mayoral candidates, Albert H. ("Dapper") O'Neil of the Boston Licensing Board, is quite unimportant except that his opening campaign statement gave a sample of the kind of feeling Hicks will surely try to exploit against Logue. Promising to "give the city back

Summer Schedule

In keeping with the usual practice, *Commonweal* will again appear on alternate weeks during July-September. Forthcoming issues will be dated July 14, July 28, August 11, August 25, September 8, and September 22. From then on, we will resume our normal weekly schedule.

to the people," Dapper said that if elected, "the first thing I will do is to release Mr. Logue and all his friends and send them back where they came from." Dapper is angry at "welfare chiselers" and the War on Poverty, but above all he seems to resent the idea of planned development and professional analysis of a city's problems. He regards planners like Logue as foreigners. He represents a solid body of middle-class Bostonian opinion. How solid, only an election can tell, but it is the element which has put Mrs. Hicks at the top of the ballot so often.

To Dapper and his type, Logue's Ivy League manners, charm and intelligence are the mark of an intruder. Add the fact that Logue is an expert in city planning, and you get the picture of a sort of foreign imperialist coming in and "meddling." The rough-and-tumble tactics traditional in Boston politics may incorporate a sort of judo, where the opponent's strength is used against him.

One of Logue's hopes is that half a dozen candidates more or less interchangeable with Dapper O'Neil may split the anti-renewal vote while supporters of development unite behind a single candidate. But he must still confront the charismatic figure of Louise Day Hicks, who has to become mayor if she is to become anything, since her strength in Boston is enormous and her strength outside of Boston negligible.

In the last two years, Mrs. Hicks has lost a lot of

her prominence, though perhaps not her votes. She is no longer chairman of the school committee and the question of racial imbalance in schools has moved to a stage where her position is largely defensive. Still, she seems to have a direct "hot line" to the hidden anxieties of the average Boston voter who wants to maintain the status quo. This is her real strength, and appeals to latent prejudice are a symptom more than a source of that strength. Mrs. Hicks has attracted voters not by telling them that Negroes should be kept in separate schools but by denying that any racial problem exists. The riots which recently took place in Boston have done nothing to shake this conviction in Hicks or her supporters. They have rather made some Bostonians even more eager to be told that Boston has no racial problem. A few more riots might assure her election.

A Hicks-Logue confrontation would put into its sharpest possible focus the basic split of attitudes in Boston, between those who prefer not to look at hard realities and those who face them head-on and try to seek solutions. It might also force Boston to complete a step which it began very tentatively with the election of Collins—a step toward regarding politics as a means toward solving community problems, not as a means of bolstering ethnic power and pride.

JOSEPH MCLELLAN

(Joseph McLellan, formerly a staff member of The Pilot, Boston, is an editor for Religious News Service.)



NATIONAL AFFAIRS

FUTILITY IN THE MIDDLE EAST

Israel's military victory, despite its thrilling dramatic quality and positive political effects, is tinged with sadness. After winning three little wars in less than twenty years, Israel is still not secure.

Its interim future for the next ten to twenty years is rather bright. After the almost incredible debacle of the Egyptian army in the Sinai, no Arab country is likely to attack Israel for at least a decade or two. But the long-term future is bleak. From sheer weight of numbers, 80 million Arabs against 2 million Israelis, the odds have to favor the Arabs. And hatreds and resentments show no signs of cooling.

It is significant that no Arab leader was immediately toppled from power in the aftermath of so crushing a defeat. Nasser, at least for the present, was able to get away with making a grandstand play of offering his resignation and then withdrawing it. King Hussein of Jordan was mobbed in the streets of his capital by enthusiastic admirers when he made his first appearance after his country's serious losses in men and territory. Clearly, it is so popular among the Arab masses to fight the Israelis that the actual outcome of the fighting is secondary. The

shock of defeat has not broken through Arab hysteria; it has intensified it.

The Arabs have for centuries been in decline, and their modern record is largely one of torpor, corruption, and backwardness. But at times in the past, they have been a great people. We still use Arabic numerals, and "algebra" is an Arabic word. It is easily conceivable that by the end of this century, Arabs may have modernized their societies, closed the technological gap between themselves and the Israelis, and produced a much more competent political and military leadership. Under those hypothetical circumstances, tiny Israel's doom would be sealed. There would be no more quick, easy victories in the Sinai—and Israel could not win a long war.

Already, there are those in Tel Aviv who believe it is imperative for their country to possess its own atomic bomb. But if the Israelis obtain nuclear weapons, the Arabs may not be far behind. As we Americans well know, a strategy of nuclear deterrence provides precious little sense of genuine security. Moreover, a continental power such as the United States or the Soviet Union can make quite different calculations about deterrence than

a small, densely populated country like Israel which could be totally devastated by a very few bombs.

On the economic side, Israel has not yet proved that it is viable. The flow of remittances from American Jews has been important in keeping the economy from a serious balance-of-payments crisis. Israel would undoubtedly be viable if its neighbors would trade and cooperate with her. Indeed, if the Arabs were capable of making and acting upon a rational assessment of their own self-interest, they would welcome Israeli help. Where else in the Middle East is there such a valuable concentration of European-trained technicians and professional people as in Israel? Viewed unemotionally, this treasure house of talent deposited in their midst is as much a beneficence for the Arabs as the oil that flows beneath the sand. But, of course, the Arabs are, like most human beings, incapable of this kind of detachment. They will probably never turn to the Israelis for help in modernization.

On account of these adverse political, military, and economic circumstances, the long-term outlook for Israel is depressing. To my mind, it calls in doubt the wisdom of the Zionist solution for the difficulties of the Jewish people. How much better it would have been if Britain and the United States had absorbed all of these Jewish refugees after World War II. If the Jews had been admitted, Britain today would not be worrying about the "brain drain," and the United States would not be concerned by the shortage of doctors and other trained people. The Jews themselves and their descendants, would be safer living in Britain and the United States than they are now and probably will be in the future isolated in Israel and ultimately dependent on American military power for their permanent survival.

Even today, the most practical and humanitarian course the United States could follow would be to buy out the individual Israelis, indemnifying them for their homes, businesses, and lands, and move them to the United States or any other country that had the wit to welcome them. The Arabs could then have Palestine back again and would soon have to face the fact that their problems are of their own making and have little or nothing to do with the presence of a couple of million Jews.

French intellectuals used to make a similar proposal during the Algerian civil war. They pointed out that the French *colons* in Algeria could have been handsomely indemnified and resettled in France for considerably less than the French Government squandered in the losing war to defeat the Algerian Arabs. But this suggestion was never seriously considered in France or Algeria, and I fully realize that my own proposal for buying out the Israelis is only a flight of fancy. The Jews in Israel are as incapable of cold, rational assessment of their situation as are the Arabs. For better or for worse they have irrevocably opted for nationhood with all its mysticism, pain, glory, and terrible danger.

The ambitious plans and projects now being discussed

in Washington, the United Nations, and other capitals for achieving a lasting settlement in the Middle East are just so much sky-writing. These proposals arise out of the widely shared but unarticulated knowledge that no lasting settlement is possible. Their only usefulness is to relieve the despair and frustration of their authors. The Arab nations are not going to cooperate with Israel; they are not even going to cooperate with one another. The Arab refugees are not going to be resettled. Regional economic development schemes are not going to be tried and, if tried, will not work.

The Arab Future

This is not to say that eventually the Arabs will not eventually work their way out of their present weakness, but it will be a working out over the next two or three generations. It will not occur this year or five years from now. For the immediately foreseeable future, Syria and Iraq will continue grossly misgoverned. Jordan will remain a make-believe kingdom dependent upon American subsidies. Saudi Arabia and Kuwait will continue reluctant to share their oil riches with their poorer Arab neighbors. And as for Nasser, he will remain Nasser. He increasingly looks like the Mussolini of the Middle East: a man of native talent and initial idealism, but basically too frivolous to exercise power over a long period. Egypt's real problems are economic, technical, and administrative, but Nasser's personal interests are elsewhere. He has the mentality of a gambler, trying his luck and bluffing his opponents. This political style entails a good deal of cruelty and suffering for other people than himself. For years, he has done nothing about the 300,000 Palestinian refugees in the Gaza Strip because he wanted to use them as a political lever against Israel. When his army was defeated in the Sinai desert, he refused for several days to turn on the water pipes in an effort to lay the burden of the Egyptian prisoners wholly upon the Israeli victors. Meanwhile, thousands of his own soldiers were suffering agonies of thirst. While proclaiming himself the leader of all Arabs, he has resorted to the use of poison gas against his Arab opponents in the Yemen. As long as Nasser remains in power, talk of lasting stability and regional progress is so much empty chatter.

The outlines of the *de facto* territorial settlement that Israel will dictate are beginning to emerge. Israel is sure to retain the entire city of Jerusalem and probably the whole west bank of the Jordan. Since the Gaza Strip is worthless and its refugees a burden, Israel is likely to return it to Egypt as she did after the 1956 war. The fate of the Sinai peninsula is the question mark. It has oil that Israel could exploit, but she would probably let it go in exchange for security of access through the Gulf of Aqaba. To retain it would create a new *irredentist* problem as big as Alsace-Lorraine once was.

WILLIAM V. SHANNON



“Until the goal of abortion reform is clarified, we will continue to be embroiled in emotion-laden debate about the plight of the pregnant victim of rape and of others in similarly exceptional circumstances.”

THE DANGEROUS ASSUMPTIONS

RICHARD JOHN NEUHAUS

Ecumenism is not the only victim of recent debates about reforming abortion laws. The more severely damaging effect may be to the cause of human rights. At what point or in what process does life become human, and what are the protections which society should offer human life in its various forms? These more fundamental questions have been swamped in the raging of the ecumenical storm to date.

The hurt to religious unity is more obvious and more keenly felt. Roman Catholics have been heard to accuse their Protestant and Jewish brothers of advocating murder, and “reverse euthanasia.” Against the Roman Catholic opponents of change, charges have been lodged of “sterile legalism” (a singularly inappropriate adjective), callousness to the plight of the poor, and the usual “violation of the separation of church and state.” If the ecumenical wounds are to be healed, and if we are to get at the profound human questions involved in the abortion debate, the churches and their theologians must engage in serious cooperative study before the reform issue erupts again in the legislative rounds of 1968.

In April, 1967, the Colorado legislature passed a bill which gives that state the most liberal abortion law in the nation. The success of the bill is attributed in large part to the fact that Roman Catholics constitute only about one-sixth of Colorado’s population of two million. A similar bill in New York, the Blumenthal bill, never got out of committee. Under New York’s present law, abortion is legal only when medical authorities attest that the choice is between the life of the mother and that of the unborn child. The Blumenthal bill, like reform efforts in other state legislatures, would have allowed abortion when continued pregnancy would permanently

or materially impair the mother’s physical or mental health; in pregnancies of young girls or when pregnancy is due to rape; when there is substantial risk that the infant would be born physically deformed or mentally defective; when pregnancy occurred in a woman who is mentally ill or a mental defective.

New York Tensions

In New York State, the Roman Catholic bishops unanimously condemned the Blumenthal bill, and the Protestant agencies, together with most rabbinical associations, warmly endorsed it. The public exchange of salvos has jeopardized the deposit of ecumenical good will that has been built in the last few years. The crisis in ecumenism is deeper than might be indicated by a clash among the several religious hierarchies, for official clashes of this nature are not without precedent. The current conflict includes those who are not addicted to the conventional polemics. For instance, between Protestants and Roman Catholics, the line is drawn, putting liberal, lay-edited *Commonweal* on one side and *Christianity and Crisis*, the journal of Reinhold Niebuhr-John Bennett perspicacity, on the other. John Bennett expresses (March 20) shock at *Commonweal*’s unwonted posture of supporting the bishops, and *Commonweal* (March 17) suggests that Protestant liberals have jumped on the bandwagon of abortion reform without serious consideration of the philosophical and theological questions involved. The question of abortion will be coming up in other states, and, if we can learn from the unhappy New York experience of 1967, perhaps the debate can be prevented from degenerating to the level of religious power politics.

Five pollutants have so far spoiled the atmosphere for creative dialogue: the credibility of the Roman Catholic bishops as champions of human rights; the unfair at-

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tribution of motives to both sides; the artificial Roman Catholic versus Protestant posing of the question; the confusion of abortion with the general subject of birth control; the ambiguity about the goals of those who advocate liberalization of abortion laws. When the air has been cleared of these pollutants, we can perhaps get to the substantive questions and gain some perspective on possible resolutions of the conflict.

It must be granted from the start that it is understandably difficult for liberals to take seriously the Roman Catholic bishops' professed special sensitivity to human life. Judging from their public statements, the bishops' role of championing the unborn child's right to life is in stark contrast to their sublime indifference to the slaughter of the innocents in Vietnam, for instance. The Roman Catholic bishops of New York have an unenviable record as defenders of civil liberties and advocates of the rights of the disinherited. Liberals who support abortion reform are repulsed by what they believe to be the hypocrisy of the Roman Catholic bishops. As one Jewish friend said, "It is somewhat like getting advice about academic freedom from the Inquisition." Obviously, this is an *ad hominem* argument against the bishops' position, but it has been understandably effective.

The bishops' position on abortion is roughly parallel to a pacifist position on war. As far as public law is concerned, the bishops allow that an exception can be made in the clear instance of self-defense, which is what is permitted in the present abortion laws of most states. Needless to say, the bishops take a more permissive and sanguinary stance with regard to the taking of more fully developed life. There are insurmountable obstacles to dialogue on the level of public statements from the Roman hierarchy, not so much because of what the bishops say about abortion as because of what they do not say about Vietnam and the myriad other injustices by which human life is mutilated. The impasse can be transcended in New York and avoided elsewhere if ecumenical exchange is developed outside the arena of public debate and below the level of official pronouncements.

The second hindrance to helpful discussion has been the frequent effort to move the focus away from the substantive issues and on to the ground of the opposition's motivation. For instance, some opponents of reform have charged its advocates with favoring murder or genocide. This is inexcusable. It is one thing to suggest that a course of action would logically result in murder or genocide, in which case the proponents of that course might be charged with short-sightedness or inconsistency. But it is quite another thing to say that the proponents envision and endorse that outcome. On the other hand, advocates of liberalized abortion laws have been careless in attributing motives to their opponents. It is pointed out, for instance, that current abortion laws reflect a 19th century mentality which was anti-sexual and cruelly judgmental with regard to any violation of sexual mores. This is a

helpful historical insight. But it is foul play to accuse, as Howard Moody does in last February's *Renewal*, the defenders of present laws of holding to that reprehensible mentality. It is said that support for restrictions on abortion is motivated by a desire "to inflict retribution and punishment upon women." The validity of a law is not dependent upon its origins but upon its present function. A law which may have been established for the wrong reasons in the last century may be supported for different and more humane reasons today. Without the mutual assumption of good faith, there is little hope for anything but wasting polemics.

No Neat Categories

A third confusing element is the posing of the question as a Roman Catholic versus "others" debate. The implication is that all men of good will are united in seeking liberalization of abortion laws except for the Roman Catholics, who have one of their peculiar hang-ups on this score. Although the religious politics of the situation make it look that way, the question of abortion is of more universal scope. It is artificial and misleading to suppose that the related problems and answers fall into neat denominational categories. The ecumenical character of the abortion question is underscored by historical insight into the origins of present thought and regulations. It is ironic that, in defending current law, the Roman Catholic bishops are upholding the results of Protestant influence. The New York law, enacted 84 years ago, is a distinctly Protestant production. The ecumenical dimension is also apparent if we recognize that the abortion debate touches upon our understanding of human life. Obviously, this is not an area of concern reserved by any religious grouping nor even, in any unique way, by religion as such. In the discussion of the nature and forms of human life, Christians and Jews can use points of reference which they hold in common, without appeal to peculiar denominational traditions or authorities. In this respect, the abortion debate differs from the problem of birth control by contraception.

This brings us to the fourth pollutant in the dialogical atmosphere. Advocates of reform should disabuse themselves of the notion that abortion and contraception are simply two parts of the same question. These are related but distinct questions and are approached, at least by the more articulate opponents of abortion reform, in different ways. With regard to contraception, Richard Cardinal Cushing of Boston declared that Roman Catholics should not want to "impose their moral views on other members of society." The moral view on contraception is peculiarly attuned to the Roman Catholic community and most particularly to the problem of authority within that community. It can be said with some justice that contraception is a Roman Catholic problem. But defenders of present restrictions on abortion base their position

on philosophical and biological considerations of more universal application. It is significant that John Noonan, whose classic study of contraception has had an inestimable influence in liberalizing the Roman Catholic attitude, testified against abortion reform at the New York legislative hearings. The argument against abortion is not derived from church law but from a conviction regarding the prudent and just course for the whole of society. It is condescending and unrealistic for advocates of abortion reform to tie together the two questions and predict that Roman Catholics will "come around" on abortion as they did on contraception.

A fifth point of confusion has to do with the goal of abortion reform. The discussion would be helped if advocates of measures such as those proposed in the Blumenthal bill would state candidly what they have in mind. Are we being overly suspicious at this point? Not at all, for most advocates of reform have made quite clear that they consider the Blumenthal bill inadequate. Yet they seem to resent the suggestion, when it comes from the other side, that the Blumenthal bill is a "foot in the door" toward more expansive measures. If the Blumenthal Bill is inadequate, what would its supporters consider an adequate level of liberalization? The editor of *Renewal* magazine is quite frank in suggesting that "something closer to the idea of abortion by request" seems more enlightened. Until the goal of abortion reform is clarified, we will continue to be embroiled in emotion-laden debate about the plight of the pregnant victim of rape and of others in similarly exceptional circumstances. It is widely claimed that there are about one million illegal abortions a year in the United States, of which only a fraction of one percent would fall into the categories covered by proposed reform measures. Most illegal abortions, it is assumed, are obtained by married women who have children but want no more. If abortion reform is to be related meaningfully to this larger problem, it is reasonable to expect that current proposals are only a beginning. Before we make that beginning, it would be helpful to have a clear idea about the destination. While many of the same questions about human rights pertain to aborting a pregnancy conceived by rape as pertain to "abortion by request," the assumptions in the latter instance might make it a substantively different question. Without pushing the parallel too far, there is a similar difference between killing in self-defense and killing for sport. It is short-sighted and irresponsible to say that the debate should confine itself to the present proposals. Measures of social change are reasonably evaluated in view of their probable end results.

The abortion debate, once the brush has been cleared away, focuses on the nature, forms and attendant rights of human life. Moral views in this connection have an appropriate and necessary place in the public forum. If "moral" is understood to mean not individualistic ideals nor pronouncements of religious authorities but insights

into the prudent ordering of society, insights which have their base in universally valid points of reference, then it is apparent that morality is not something "imposed." The interaction between moral conviction and political structure is complex. At this point it is enough to note that this interaction should not be ruled out of order in connection with the abortion debate any more than it should be ruled out of order in connection with the debate about the war in Vietnam or about civil rights.

Discussion of the right to life enters upon the most sacred and sensitive ground known to the sensibilities of Western man. The question is as sobering as is the discussion of it eternal: What Is Man? The full resources of biology, law, philosophy and theology must be marshaled for this consideration. To say this is not an alarmist escalation of the abortion problem. Self-evidently, abortion raises the question about the nature of human life, and those who refuse to discuss the issue on this level are in danger of jeopardizing man's highest values for the sake of a short-range resolution of an immediate problem. Our century has witnessed the demonic consequences of man's distorted definitions of himself along racist, nationalistic and utilitarian lines. Nothing can be taken for granted in terms of society's understanding of human rights. In our valuations of human life, to be civilized is to be conservative.

Arthur Schlesinger, Jr., wrote of John Kennedy's "acute and anguished sense of the fragility of the membranes of civilization." To speak of the nature of life and of the "rights" of different forms of human existence is to touch upon the nerve center of those fragile membranes. In man's understanding of himself and in the social consequences of that understanding, assumptions are not safe.

Language Begs the Question

It is, therefore, profoundly disturbing to hear many proponents of abortion reform dismiss the question of life in a cavalier manner. Pre-natal life is denigrated as a "piece of tissue," "a woman's mistake," or "vegetating unborn matter." Such language begs the question in a disgraceful manner. Biology and everyday experience teach us that life is to be understood in continuity with life. As one biologist states it, "birth is but a convenient landmark in a continuous process." Modern medicine is beginning to refine the specialty of fetology, in which it is assumed that the physician's oath to preserve life and to heal is fully applicable. The casual claim that "of course" and "obviously" there is a difference between the fetus and the baby are supported only by the wish for a simple resolution of a troubling problem.

A healthy democracy is marked by its concern and respect for its weakest members, for the aged, the poor, the powerless, the disinherited. Is this not to be true, opponents of liberalized abortion ask, also for the pre-natal

child? And, if not for the pre-natal child, then what about the post-natal child? We shall return to this point.

The question of life is evaded also by the sometimes subtle shift to emphasizing the "mental health" of the mother. In those rare instances where the mother is a victim of rape and in the more common situation where a woman does not want another child, we can be fully sympathetic. We can also sympathize with the mental anguish of a mother who feels trapped by circumstances and wants to be rid of the children she already has. But there is much psychological naiveté in this discussion about the mental peace of the mother being aided by ending the pregnancy. Reports from other countries, notably Sweden, where abortion laws are much more liberal, indicate a severe rise in mental anguish for those mothers who have repressed guilt feelings about having ended the life within them. This question needs careful scientific study. In any case, for those who believe that abortion is the taking of a human life, it would have to be demonstrated that the mental anguish caused by the pregnancy and birth would be of such severity as to constitute a case of self-defense for the abortion. At the present level of human development, it seems that there usually will be a degree of pain and unpleasantness connected with the process of birth. This is not to revert to the argument that such pain is divinely ordered or that medical science should not make the process as easy as possible. It is simply to say that the avoidance of pain is not a very strong case when balanced, as many people believe it must be, against the seriousness of taking human life. Respect for human rights is frequently inconvenient. As harsh as it may sound to some, the just and prudent law is not always the easy law.

Middle-Class Smugness

This is the place to mention, too, the middle-class smugness which is so repugnantly present in some of the arguments for liberalizing abortion. We are told about the poor underprivileged child who could have been spared the trials of life had he been aborted in the womb. Reading the testimony of one physician who spoke at a legislative hearing, we learn that it would be better to have abortion than for a child to be born into a family where he would "in all probability not have an opportunity for a decent life." The physician then detailed what he considered to be the minimal requirements for an opportunity for a decent life: a stable home with a responsible father in the house, adequate income to assure the necessities and a chance for higher education, an accepting atmosphere where he would not be looked upon as an intrusion. As an inner-city pastor in Brooklyn, it occurred to me that by these criteria almost all the children in my parish should not have been born. Stokely Carmichael and black nationalists have a point when they charge that people who are reactionary on other issues suddenly

become very liberal with regard to birth control in the ghetto. One way to resolve "the colored problem" is to reduce the number of Negroes.

H. B. Munson, M.D., pushes the argument beyond the point of absurdity in defending the individual's "right to die." He is worth quoting from February's *Renewal* to illustrate a type of shoddy thinking which has so poisoned the abortion debate: "Some people have volunteered to defend the embryo's right to live. This is all right, but should we not also have some argument in favor of the individual's right to die . . . It appears that

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rise in mental anguish for those
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the life within them."***

there are people who would gladly have volunteered to be cancelled out, during those meaningless intrauterine days, if by so doing they could have spared their mother a lot of suffering—say, from shame, or poverty, or poor health, or anything else troublesome." The self-evident illogic and sickness of this statement calls for no comment, only for a feeling of sympathy for its author.

We hasten to add that the unreason of a Dr. Munson is not representative of all those who advocate the liberalizing of abortion laws. Indeed it is the thoughtful and articulate liberalism of many of the advocates which makes significant dialogue on this question possible and imperative. In the scientific community, one might well look to Ashley Montagu of Princeton, author of *Life Before Birth*. In a letter to the *New York Times* (March 3), Professor Montagu responds to someone's using a statement in his book ("In spite of his newness and his appearance, he is a living, striving human being from the very beginning") to oppose abortion. Professor Montagu explains:

"By this I meant that from the moment of conception the organism thus brought into being possesses all the potentialities for humanity in its genes, and for that reason must be considered human . . . but the embryo, fetus and newborn of the human species, in point of fact, do not really become functionally human until humanized in the human socialization process. Humanity is an achievement, not an endowment. The potentialities constitute the endowment, their fulfillment requires a humanizing environment . . . I have always supported, and will continue to support, the legalization of abortion for the very reason that I consider it a crime against humanity to bring a child into the world whose fulfillment as a healthy human being is in any way menaced or who itself men-

aces the life of the mother or the quality of the society into which it is born."

The more reasoned tone of Professor Montagu's argument is impressive and ominous. We are learning to respect the radically social character of human existence. This has been underscored with respect to knowledge in *The Social Construction of Reality* by Peter Berger and Thomas Luckman, and, on a more popular level, with respect to consciousness by Leslie Dewart in his *The Future of Belief*. So we can appreciate Montagu's point about "the human socialization process." But we also recognize that there are many 40-year-old men who have not been so "humanized," and they are not all to be found in institutions. To transfer this insight about the necessity of humanization into the legal realm would seem to require an ability to determine the *point at which* human existence is humanized. In a similar way we think we know the difference between a teen-ager and an adult, between a kind man and a cruel man, between a wise man and a foolish man—but do we have, or should we want, the equipment to pinpoint the line at which one crosses from being one to being the other? Who or what determines when humanity is "achieved" or which environment is "humanizing"? Is there any child whose fulfillment as a healthy human being is not "menaced" in many ways? And, with acknowledgment that this is certainly not intended by Professor Montagu, is not the language about menacing "the quality of the society into which it is born" reminiscent of explanations given for genocide in Nazi Germany and elsewhere? The subject is too serious for it to be discussed in these vague generalities which confuse value statements with descriptive analyses. "Humanization," unlike "fetus," does not lend itself to precise scientific definition. One man's humanity is another man's animalism.

Advocates of liberalizing abortion insist that they do not countenance infanticide or euthanasia or the removal of the idiot or of the socially expendable or of those who menace "the quality of the society." And we must believe them when they so insist, although some are not so positive about euthanasia in the case of the incurably ill. While abortion advocates do not support the above-mentioned forms of taking human life for the sake of personal or social convenience, the rationale presented for abortion would seem to be applicable to euthanasia, etc. The crux of the matter is that, for those who are sensitive to the fragility of the membranes of civilization, a persuasive argument will have to be advanced for abortion which at the same time excludes a justification for euthanasia and other forms of taking human life. And, of course, the problem would still remain for those who believe that the fetus must be thought of as a human being. For these people, abortion would remain inherently immoral, even if it did not lead to taking other forms of human life.

Either way, the argument would seem to turn on

whether or not the fetus is to be considered a human being. Obviously, it is not enough for the courts simply to rule that at five months, or seven months, the fetus has human rights. Saying something does not make it so. Such an arbitrary social decision would have no regard for the truth of the matter. English common law presupposed that the fetus became a human being at the point of "quickening," that is, when the fetus first stirred in the mother's womb. One of the more fascinating suggestions advanced is that the fetus has a "rational soul" at five months because, if one were to draw a line parallel between the process of pregnancy and man's historical evolution, at five months the fetus would be comparable to the evolution of man at the point where he became *homo sapiens*. Fascinating and fanciful. In addition to the problem of determining a *point at which*, discussed above, one has the additional factor that the notion of "rational soul" is rather thoroughly discredited among both philosophers and theologians. The stubborn fact is that our contemporary understanding of the continuous process of life makes it difficult to exclude the pre-natal child from the phenomenon of man.

How flexible can we be with regard to abortion is tantamount, I believe, to asking how flexible we can be with regard to taking human life. Our flexibility may be tested in India and other parts of the world where population control is a question of sheer survival. It is conceivable that in some situations governments may see their choice as being between starvation and machine-gunning the surplus population in a "humane" version of Babi Yar. Before they reach that point, governments will undoubtedly opt for massive programs of abortion. This is not North America's situation. And if this is the dilemma faced by other countries, it is a severe judgment on the United States and on other affluent nations for failing to develop either the will or the means to share the wealth with which they are entrusted.

But what about the abortion racket in the United States with its consequent anguish, crippling and even frequent death? There can be no glib answers. But it seems that the social and moral consequences of liberalizing abortion laws would do greater damage than the evil it is designed to correct. There is a more positive remedy through intensive educational programs for birth control and family planning. More recent thought in the Roman Catholic community, reflected also in Paul's encyclical "On the Development of Peoples," promises the possibility of cooperative action in programs of positive birth control. Most of the people in the ghettos of our cities, where the abortion racket thrives with its most noxious effects, are woefully uninformed about birth control. At the same time it should be clear that birth control is not the answer to poverty and racial injustice in America. Women of the ghetto seek abortions because they have not the money nor the homes required to raise the child as they would wish. The solution is not easy

legal abortion, but a fervent attack upon the social disease of poverty, an attack from which white America is fast withdrawing after being disturbed by an initial skirmish.

There are other positive, albeit long-range, steps in which the Church can lead. Attention should be focused in ecumenical efforts to develop more adequate facilities and procedures to care for unwed mothers and mothers who wish to place children for adoption. Intensive work should go into shaping more humane attitudes toward pregnancies outside of marriage. The Church must reject its unnatural role as guardian of conventional sexual mores, a role which leads many people to equate morality with correct sexual behavior, attributing to God an inordinate, if not exclusive, concern for mankind from the waist down. Christian ethical preoccupation with sex has had an inestimably deleterious effect on the credibility of the Church's witness to the world.

There are alternatives to abortion. They may not be

as direct as abortion, but they are morally and socially safer and will, in the longer view, contribute more to the process of humanization. There may be individual and even group instances of self-defense in which abortion could be justified. But these instances are at the extremities of human experience and, at least in the case of individual self-defense, are covered by present laws. If the fetus is to be aborted at all, it should be with the same grim sense of necessity with which the non-pacifist might go to war.

There are relevant considerations which are not treated here. Roman Catholics, Protestants and Jews have much to discuss before abortion is debated again in the legislative arena. I have attempted to suggest a few items for the agenda and to make clear that abortion is not a peculiarly Roman Catholic hang up. The abortion question goes to the center of our vision of man and of the human community for which we hope.



"If laws become so lax that abortion becomes simply a way to get rid of unwanted children, then there is more to the morality of abortion than the consequences to the mother and to the baby. Such laws threaten the very basis of society."

A MORALITY OF CONSEQUENCES

JULIAN PLEASANTS

A team of surgeons at the Cleveland Clinic Foundation recently developed an artificial placenta made of a silicone membrane which can add oxygen to blood and remove carbon dioxide from it. They are hoping especially that it will be able to sustain the life of a baby with hyaline membrane disease (what the Kennedy baby had) until the material blocking the lungs can be dissolved. They believe it may also save the lives of premature babies whose lungs have developed but for some reason have failed to open up after birth. The placenta could keep the baby alive until some means of inflating the lungs could be carried out. The machine has been tested on animals with encouraging success.

Though the doctors do not mention it, this apparatus

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suggests the possibility of saving babies so young that their lungs have not developed. This placenta, combined with the system of germfree isolators and water-soluble diets on which I am doing research, offers the eventual possibility of duplicating conditions in the womb for babies whose lungs and digestive systems could not possibly sustain extra-uterine existence. These babies are now certain to die if they are accidentally or deliberately aborted from the womb.

While this development offers hope that some day abortion need not mean death at all, it also raises some questions about the present attitude of Catholic moralists towards abortion. Traditional teaching condemns abortion even to save the mother's life. Yet how can an action be called direct killing if there is no necessary connection between the action and the death of the baby? The death of the baby is not due to the abortion; it is due to our fail-

ure to have or to use the technology needed to keep the baby alive. The normal medical procedure for inducing abortion during the middle trimester of pregnancy is not basically different from the procedure during the last trimester, inducing premature labor or performing a miniature Caesarian operation. That procedure is certainly not bad in itself, for it has saved the lives of thousands of babies whose mothers developed toxemia or severe diabetes during the later months of pregnancy. For those babies, the risks of staying in the womb were greater than the risks of premature birth. For them, artificial expulsion was a good action.

Inadequate Understanding

The traditional Catholic stand against abortion even to save the mother's life suggests an inadequate understanding of the medical procedure, or else the application of norms which are not applied in any other situation. Perhaps what we need is a masculine analogy for the uniquely feminine situation of pregnancy. Suppose I have jumped into the water to save a non-swimmer, who now has his arms clamped around my neck. It becomes obvious that I don't have the strength to save him, that I cannot get both of us to shore, though I could get myself to shore. If I break his grip and push him away, he is sure to drown, for there is no one around who can do anything for him. Is this moral? I think almost any moralist would say so, basing his judgment on the principle of double effect. An action neutral in itself has two consequences: it saves my life, and it shortens the life of the one I was trying to save. In fact, it may shorten that life very little, since the non-swimmer would have died when I went under.

This reasoning is applied by Catholic moralists to the removal of a Fallopian tube swollen by a misplaced pregnancy since the situation is abnormal and may carry a se-

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rious risk of hemorrhage. The mother has a right to correct an abnormal condition, even though it means certain death for the baby. But if the mother faces imminent kidney failure which could be averted by removing the added burden of pregnancy, this is not now allowed by traditional teaching, because it is using a bad act (terminating a normal pregnancy) as a means to a good end. But the same act is not bad when the kidney failure threatens in

the eighth month of pregnancy. So it is not the act which is bad, but one of its consequences. What has up till now constituted legal therapeutic abortion—abortion to save the mother's life—can be declared intrinsically immoral only by invoking the now-defunct principle that it is intrinsically wrong to interfere with any stage of a natural process once started. It is true that cases in which abortion is needed to save the mother's life are extremely rare, but they still occur, here as in countries where there are not enough medical facilities to help some women through a dangerous pregnancy. And they force us to clarify the basis for a mother's obligation to bear her child under any circumstances. In the case when a mother's life is threatened by the pregnancy, therapeutic abortion robs her baby of only a few weeks of life, since the baby would have died with the mother if nothing were done. But all other cases are in a different category, since the baby loses what was a good chance at a long life, and the mother does not gain life itself, but some other advantage. Can such an exchange ever be legitimate?

In Vietnam we are regularly killing babies whose humanity and right to life have not been questioned. We can say that it is an undesired consequence of an act designed to save the lives of South Vietnamese who would be killed after a Communist takeover. But this is not true, since we could save the lives of those threatened people by bringing them over to this country, without killing any Vietnamese civilians in the process. Those dead Vietnamese babies are the victims of an attempt to achieve a certain way of life for South Vietnam. Every day in tropical America there die hundreds of children whose lives could be saved by food from the United States if we were willing to change to a vegetarian diet. Moralists could say that we let them die so that we can maintain our standard of living. But they would not necessarily call it murder, even though, for all practical purposes, it is only the United States which is in a position to save either the South American or the Vietnamese children.

An abstract right to life does not mean much if a corresponding obligation to maintain it cannot be spelled out. It is in this area that Catholic moralists must get to work. We have so long relied on condemning actions as intrinsically evil that we have been sent reeling by the discovery that there are no intrinsically inhuman actions. We are left with a morality of consequences, and we must forge a new morality of obligation out of the assessment of consequences.

How do we establish the obligation of a woman who has been raped to go through with the pregnancy? She did not willingly perform an act which carried the risk of pregnancy. It was forced upon her, like the grip of a non-swimmer upon a swimmer who had no intention of trying to get him to shore, and who realizes how difficult (though not impossible) it will be. Only the mother can keep the baby alive, but it may cause her much emotional anguish as well as physical inconvenience. Does she have

to go through with it? Do the rest of us accept great inconvenience, or even minor inconvenience, to save the lives of the thousands of children who die of malnutrition, dysentery and tetanus every day? Consciously or unconsciously, we make some value judgments; we do not attribute absolute value to every human life. Is this simply the rationalization of affluence or is it a legitimate moral position? If the latter, then how do we establish the obligation of a raped woman to bear her child? It is no problem to establish it on Christian charity, but how do we found it on the basis of a humanist ethic, which is the only one we can impose on a pluralistic society? Not as a matter of strategy, but as a matter of justice, Catholics must reconsider their traditional condemnation even of therapeutic abortion. The question of abortion after rape should also be reconsidered, if only to clarify our thinking on the whole question. Do moralists in fact demand more of a pregnant woman than they do of anyone else?

Demands of Pluralism

The demand for liberalized abortion laws is much more ambitious, however; it aims at permitting abortion not only when a mother's life is threatened, but also when her health is threatened. Now, we Catholics do not in fact give absolute value to every human life, but draw a line beyond which we need not sacrifice some values of our own in order to save another's life. This being so, we must ask ourselves what proportion we see between the death of an unborn baby and the temporary or permanent loss of a mother's health. More than this, we must ask ourselves how non-Catholics are likely to see this proportion, not so that we can conduct a strategy, but in order to see what demands a pluralistic society can legitimately place upon a mother in order to safeguard the life of one of its citizens—the baby.

First of all, humanistic ethics does not make such a strong distinction as we do between a threat to the mother's life and a threat to her health. For us, cutting a life short is a much more serious thing than even a long incapacitating illness, for death means stopping the woman's preparation for eternity. But for those who do not think in terms of eternity, a mother's being incapacitated during the time when her family needs her most may seem almost as serious as her death. We cannot demand of humanists a belief in personal immortality. The traditional argument from reason for an immortal soul was based on the equally traditional matter-form hypothesis; since the advent of the theory of evolution, this hypothesis has lost its meaning. We Catholics must recall that the good news of Christianity is not about an immortal soul but about the resurrection of the body. Many non-Catholics are going to consider an incapacitating illness a much bigger sacrifice on the mother's part than we do.

Secondly, there seem to be two different views of what

makes the baby's death an evil thing. For us, the evil of killing lies in the destruction of a future, and we see it this way not only from the viewpoint of the baby whose future is lost, but from the viewpoint of God who made that future possible. But for many people, the evil of killing lies primarily in the destruction of a past, and the less of a past there is, the less evil is the destruction. To draw an analogy: if I went into the studio of a famous

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artist and slashed the canvas on his easel, my act would seem mere silliness if the canvas had but one brush stroke on it. But if that canvas represented a year's work by the artist, my act would appear malicious indeed. Consciously or unconsciously, many people judge the value of unborn life in the same way, even if they are willing to admit that the baby is, or might be, a human person. To them, a new-born baby, for all its immaturity, still represents nine months of concentrated effort by both baby and mother, and of emotional involvement by the mother. To destroy that baby is not only to destroy its future, but to destroy an investment already made for that future. It is to destroy an effort whose value will all be lost if the baby dies at birth. The closer the child is to its conception, however, the smaller is that investment, and the less unjust its destruction appears.

Eventually one reaches the point of weighing the investment lost by that baby's death against the investment that might be lost if its mother had a nervous breakdown and could not function humanly for a year. If we see death not as the destruction of a unique future but as the wasting of a unique past, we are bound to have a different view of abortion. If non-Catholics are going to place a higher value on the mother's health than we do, and a lower value on the baby's life, then some non-Catholics are going to make different prudential judgments about cases in which a threat to health could justify abortion. Catholics would find such cases so rare as to be almost non-existent; non-Catholics might find them increasingly often as a certain instinctive revulsion against abortion begins to wear off.

If we Catholics cannot make a stand against abortion on the basis of an absolute, then we must find the basis for a political consensus in a morality of consequences. This is not going to be easy. It is fantastic how both popular and medical articles favoring liberalized abortion laws can discuss abortion without once mentioning its

consequences for the baby. The loss of 10,000 mothers from badly-performed clandestine abortions in this country is mentioned repeatedly, without any suggestion that the loss of a million babies is worth considering. This is bad enough, but there is another consequence of extremely liberalized abortion laws which their proponents have completely overlooked. If those laws become so lax that abortion becomes simply a way to get rid of unwanted children, then there is more to the morality of abortion than the consequences to the mother and the consequences to the baby. Such laws threaten the very basis of society.

One of the most serious charges against more liberalized abortion laws was recently published in the *Lancet* by a British doctor. He brought up the destructive consequences unlimited abortion would have on the psychological security of children. Suppose they knew that their mother had gotten rid of a baby because she didn't want it. Or suppose they knew that mothers in general are like that. What does it do to the whole mother-child relationship? How does it affect a mother's attitude to her other children if she has once disposed of a baby in that way? What kind of persons result from growing up in that kind of atmosphere? How does our attitude toward everyone

change if we judge a person's right to life by what his life does to our plans?

These are the questions that the proponents of abortion as a form of birth control must answer. It is not only a baby's life, it is our whole social fabric which is placed in jeopardy by the present demand for virtually unlimited abortion. The number of human lives lost by abortion in this century is undoubtedly greater than the number lost in our two world wars. But maybe they are not two separate things—the wars and the abortions. “Can a mother forget the child of her womb?” asks the Scripture, “and if she does—.” And if she does, is it not all the easier to kill 5,000,000 Jews in concentration camps, to let 2,000,000 Russian farmers starve to death, to drop atomic bombs on Hiroshima and Nagasaki? Is it not all the easier to protect America from Communism by drawing a line against it in someone else's country, whether they want us there or not? If we lose the human faculty of imagination, if we grant humanity only to those whom we can see, and who look just like us, is there any solid foundation for human ethics? We will be back to the condition where the question that leaps to mind when we come face to face with another man is: “Can I kill him, or can he kill me?”



“It is difficult to understand how the rational soul as the substantial form of a real human body can be present when the human body is not real, but only virtually present in the cell or the aggregate of cells.”

QUESTIONS ABOUT QUESTIONS

THOMAS WASSMER

In the February 4 *America* Fr. Robert F. Drinan suggests a “Strategy on Abortion” and writes: “But if the only choice is between a law that would permit abortion only in the rare cases of rape, incest, or a predictably defective infant and a law that would legalize abortion generally, the Catholic's election is clear.” Fr. Joseph Donceel, commenting on this proposition in a letter in the March 25 *America* added that the election would be even clearer “when the Catholic realizes that a slowly

increasing number of Catholic thinkers are returning to the position of St. Thomas Aquinas, who claimed that there is no human being at all during the first few weeks of pregnancy, when most of the abortions mentioned by Fr. Drinan might be performed.”

If the election does become clearer by an examination of the evidence, I have seen no inferences drawn on what this might contribute to discussions on abortions. My purpose here is to review the evidence and to offer tentative inferences for practical decisions.

The reasons for a return to the traditional doctrine of *mediate animation* are briefly touched upon in Donceel's

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letter but expanded in an article in the Spring issue of *Continuum*. After an historical examination of the positions of mediate and immediate animation, Donceel summarizes his position thus: "With St. Thomas I teach that at the moment of conception there originates a vegetative organism that will slowly evolve into a sentient organism to become, at a moment I cannot determine, a rational organism, a real human being."

The principal argument against the theory of immediate animation is its incompatibility with the hylomorphic conception of man. It is difficult to understand how the rational soul as the substantial form of a *real* human body can be present when the human body is not *real* but only *virtually* present in the cell or aggregate of cells. If we really understand the meaning of substantial form, we would more likely question its presence at the moment of conception and consider that it gives determination to this specific entity only when this entity has a *real* human body, an inchoative human body and not just a *virtual* human body. St. Thomas was economical with his causes and did not multiply them without necessity. With very little memory for Latin, the formula easily returns—"entia non multiplicanda sunt sine necessitate."

Real As Opposed To Virtual

The presence of the rational soul from the moment of conception is more compatible with a theory of Cartesian dualism in which the soul is present as a complete principle and operating more properly as an efficient cause. However, if the soul is not the formal cause of the body but only the efficient cause in the cells, the question may be raised why it has to be a *rational* efficient cause. This speculation is congruous with a Cartesian dualism but hardly acceptable to a hylomorphic conception of man that was proclaimed by the Council of Vienne (Denziger 481). This understanding of man is anti-dualistic and anti-Cartesian and insists upon regarding the soul as the formal cause of a *real* human body and not a *virtual* human body. The body at the moment of conception is obviously virtual.

The stronger argument for mediate animation is the phenomenon of identical twins which result from one ovum, fertilized by one spermatozoon. This one fertilized ovum splits into two or more parts which then develop of themselves. If the rational soul is present from the very moment of conception and is of its nature spiritual (i.e., intrinsically independent of matter, and therefore indivisible), how can this division, this splitting be explained? How can one human being, one for the shortest span of time, become two by reason of this separation? Does not the spirituality of the rational soul argue against divisibility?

Fr. Donceel even raises the question of interest to the embryologists, that eventually they might succeed in splitting the fertilized human ovum just as they have

artificially divided the fertilized ova of lower organisms. If success is found in these experiments, what is to be said about the spirituality, the non-divisibility of the rational principle, present there from the very moment of conception as the substantial form of the body?

There are further theological problems arising from a theory of immediate animation. With this hypothesis,

"The stronger argument for mediate animation is the phenomenon of identical twins which result from one ovum, fertilized by one spermatozoon."

the unavoidable abortions that take place spontaneously within the first few weeks of pregnancy, when women are often not even aware of the loss of embryonic life, make one wonder about the enormous number of souls in limbo. If limbo is no longer theologically respectable, what other theological explanation is to be given for the status of these aborted embryos?

My reasons for summarizing the arguments for mediate animation over immediate lead me now to raise some questions. Granted that there is speculative respectability for mediate animation, that it is more compatible with a genuine hylomorphic conception of man and more satisfactory for explaining the phenomenon of identical twins, what application does it have with regard to problems on abortion? Why should not the theory of mediate animation be used?

Moralists traditionally insist that, where there is a *doubt of law* and not a *doubt of fact*, probabilism may be used. However, where there is a *doubt of fact* and where this doubt of fact involves considerations of life, justice and the validity of contracts, the safer course must be followed. Here, the safer course is to act on the theory of immediate animation. Admittedly, the safer course is not necessarily the true one.

The problem I raise is this. Is it true that a person confronted with a *doubt of fact* regarding life is always bound to follow the safer course? Is it ever permitted to act in a doubt of fact regarding life in which the safer course is not adopted? It appears to me that moralists have on occasion allowed this procedure when other values were situationally considered. Let me give two illustrations:

1) Moralists will allow a woman to use a douche after rape as late as 10 hours after the assault on the grounds that conception has been known to take place within that length of time. No embryologist can be certain when conception takes place; i.e., the precise existential moment of conception. Yet in the absence of this certitude

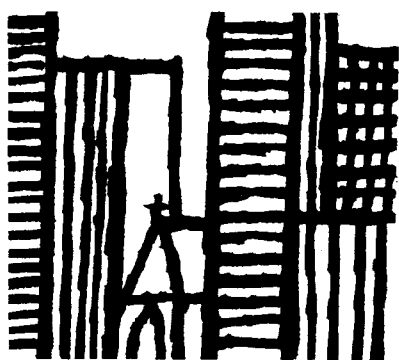
and in the presence of this doubt of fact, moralists will allow the woman to act within the period of ten hours; i.e., to act without adopting the safer course. The safer course would be to consider that impregnation and conception took place at the earliest possible time after the assault, or even during the assault.

2) In the case of a person who has a terminal illness, in which all ordinary means for the continuation of his life have been taken and where there is no probability of a return to rational consciousness, most moralists will permit the willed omission of extraordinary means to continue the life of the person. This case appears to the ordinary observer as one involving a *doubt of fact*, doubt whether rational consciousness will be restored, and involving the adoption of an alternative which is not the safer of the several courses to take; i.e., the willed omission of the extraordinary means.

My purpose in this paper is to provide discussion on

this precise question: In the event of a *doubt of fact regarding life*, is it *never* permitted to follow the less safe course in the pursuit and realization of other human values? If there are and have been situations (the two above) in which, in the presence of a *doubt of fact regarding life*, the safer course does not always have to be followed, if human values are at stake, is it conceivable that, granted respectability for the theory of mediate animation, this theory might be followed, even though it is not the safer course? Would the opposition then to abortion (only in the rare cases of rape, incest or a predictably defective infant) be somewhat modified and the dialogue now in process in the political order be improved?

It seems that Catholic moralists have not so absolutized and polarized life that, where there was doubt of its presence, other values have not permitted its forfeiture.



"It is preferable to keep responsibility governing abortion in the legal profession, which is somewhat removed from pressures inherent in the patient-doctor relationship, than yield the onus to doctors on the firing line."

LAW AND THE COMMON GOOD

ANDRE E. HELLEGERS

The current discussions of abortion center around a number of proposals to alter the present laws governing who shall be allowed to perform abortions, and for what reasons. Since abortion affects the interests of so many—the parents, the fetus, the state, and "the common good"—there are important moral, legal, medical and epidemiological aspects of the problem. Yet, the subject is emotionally debated with superficiality and oversimplification; alleged statistics are quoted and demands are made for changes without reflection on the consequences of such changes. Prior to amending the present law, there are some pertinent questions that must be satisfactorily answered:

- To what problem are the proposed changes in law actually addressed? What is the exact size of that problem? Are the proposed changes necessary to achieve a solution, and will they solve the problem?
- Is the proposed law reasonably enforceable? Can it work in practice in the United States public health environment? Would the law constitute an unwise transference of responsibility from the legal to the medical profession? And therefore, will the proposed changes in abortion law serve the common good?

Present laws on abortion are generally based on the moral precept, "Thou shalt not kill," and on the assumption that life begins before birth. Thus, any direct attack on the unborn can be construed as murder. The use of two different words—*kill* and *murder*—is itself an indication that this precept has undergone certain modifications. War, self-defense and capital punishment have,

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through the ages, become more or less accepted in law as exceptions to the rule. Yet, one of the many ironies of present-day morality is that two of the "acceptable" justifications for killing—war and capital punishment—are being increasingly questioned in public debate at the same time that liberalization of abortion laws is being proposed. Murder, then, has to be defined more specifically as the killing of *innocent* life. Partly because we assume the innocence of civilians, we debate the morality of war. Partly because we fear executing the innocent, we question capital punishment.

It is clear, however, that civil law does not differentiate between innocence and guilt where abortion is concerned. Indeed, guilt of the unborn can hardly be postulated. Permission in civil law for therapeutic abortion must, therefore, rest on the belief that maternal interests take precedence over those of the unborn. It is in the process of weighing the interests of the mother against the absolute certainty of death to the fetus that there arises that conflict of which Professor Howard Taylor of Columbia University has spoken: "I sometimes wish I were an obstetrician in a Catholic hospital so that I would not have to make any of these decisions. The only position to take, in which I would have no misgivings, is to do no interruption at all. All so-called indications have a relative validity only."

How sure can we be that it is the abortion that saves the mother's life? Will the mother die anyway? How long will we prolong her life? By a normal life span? By a year? By a month? By a day? It is obviously impossible, under most circumstances, to give an exact prognosis in these terms. This is one of the reasons why, in the application of present law to specific cases, it has been recognized that impending death is not the sole criterion for judging the propriety of a therapeutic abortion. The inability to delimit the time interval between non-performance of an abortion and subsequent death has facilitated acceptability of the so-called *maternal health* indications.

Milestone Case

The case of *Rex vs. Bourne* in 1938 was a milestone in the establishment of these indications, which are increasingly becoming further removed from the preservation of life. Bourne performed an abortion on a 14-year-old girl who had been raped by several soldiers; he notified the authorities of the operation and was charged and brought to trial. The judge said, in essence, that the likelihood of instantaneous death in the absence of an abortion was not the *sine qua non* for the legitimacy of the procedure. His instructions to the jury made it clear that the threat to the patient's mental stability could be considered a legitimate reason for abortion. The jury acquitted Bourne.

With so many therapeutic abortions being performed in the absence of a direct threat to maternal life, should the law be revised to follow the practice of the medical

profession? Alternatively, should the law remain as it stands, but be interpreted with greater liberality by the legal profession? It is clear that present obstetrical practice is in accordance with the *spirit* of the law, as it is interpreted today.

The answers to these questions depend on one's view of the purpose of abortion laws. In written form, the laws can be considered general guidelines for what is permissible, rather than rules adaptable to year-to-year changes in obstetrical practice. I submit that it is preferable to keep the responsibility governing abortion in the legal profession, which is somewhat removed from the pressures inherent in the patient-doctor relationship, than it is to yield the onus to the physician on the firing line. This is akin to the concept that it is much better to keep the responsibility for the dropping of an atom bomb in the hands of civilian rather than military authorities. Adherence to the *spirit* of the present law is one thing; adherence to the *letter* of the proposed changes is another and could lead to marked changes in obstetrical practice that would have little bearing on the problem to which the proposals are presumably addressed.

Section 230.3 of the model penal code of the American Law Institute is the source of the most commonly cited proposals: "A licensed physician is justified in terminating a pregnancy if . . . he believes there is substantial risk that continuance of the pregnancy would gravely impair the physical or mental health of the mother, or that the child would be born with grave physical or mental defects, or the pregnancy resulted from rape . . . or from incest or other felonious intercourse. . . . No abortion shall be performed unless two physicians, one of whom may be the person performing the abortion, shall have certified, in writing, the circumstances which they believe to justify the abortion."

Note that the physicians' belief that justifying circumstances exist need not be correct. Indeed, their belief need not even be a reasonable one, or based on medical competence, nor is it necessary for either of the physicians to be a specialist in the matter. The justification hinges on whether they actually *believe* that the stated circumstances exist. Written comment by the editor of *Obstetrical and Gynecological Survey* is appropriate here: "Now, much as it goes against the grain to say so, there are quite a few extremely 'gullible' fellows in the medical profession—especially when a few dollars are involved or, should we better say, a few hundred dollars. . . ."

This seemingly harsh comment is applicable. In New York 27.9 percent of all convictions for criminal abortions were obtained against licensed physicians. Moreover, a study by the Indiana University Institute for Sex Research reported that 88 to 95 percent of the premarital abortions studied were performed by what were thought to be physicians. In Baltimore, two licensed physicians had performed 5,000 and 40,000 abortions, respectively. The combined "believing power" of these two gentlemen

could wreak havoc with the proposed law. Terms such as *substantial*, *gravely impair* and *mental health* are so relative that they could be interpreted as applicable in any way one might choose.

Defining the nature of the problem more clearly requires an analysis of the recent history of therapeutic abortion. At The Johns Hopkins Hospital from 1937 to 1961 the incidence of therapeutic abortion decreased more than fivefold. Research of obstetrical literature

***“While it is easier to feel
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shows that similar and greater decreases are found throughout the world. It is now alleged that as maternal life and health indications for abortion have decreased, abortions on psychiatric grounds, which presumably are less easily definable, are increasing. This widely held opinion is the result of faulty analysis. It is true that between 1943 and 1953 the percentage of therapeutic abortions performed for psychiatric indications in New York increased from 8 percent of all abortions to 40 percent. Similarly, at The Johns Hopkins Hospital between 1937 and 1961, psychiatric indications increased from 7.5 percent of all abortions to 16.3 percent. However, these data are peripheral.

A better comparison would be provided by study of the question: “Of 1,000 pregnant patients entering a hospital, how many have abortions on psychiatric grounds?” At the Johns Hopkins Hospital prior to 1950, one pregnancy in 1,021 was aborted on a psychiatric indication; since 1950, only one in 2,231. For private patients the incidence has dropped from one in 734 to one in 1,139. For ward patients the figures go from one in 1,139 to one in 3,830. The data show that psychiatric indications for abortion have decreased to almost one-half their previous incidence. Other indications have decreased even faster and, consequently, the psychiatric ones form a larger portion of the remaining smaller number.

It is clear then that maternal life, maternal health, and mental health indications are all decreasing. What is left to consider?

Congenital Defects

A category has appeared that is rather inaccurately called *fetal indications*—under certain circumstances, infants are born with congenital defects. If the defect is a result of the genetic makeup of the parents, it is clearly

useless to perform abortions at every pregnancy; sterilization is the procedure of choice. It was also the preferred procedure when death of the fetus was certain in cases of Rh incompatibility, but in the past few years techniques for fetal transfusion have made possible survival to term. The indications for an abortion in this case are, therefore, vanishing. We are left with a number of viral infections occurring in pregnancy, of which the major example is German measles. Here again, with isolation of the virus recently accomplished, a vaccine may be available before the proposed changes get on the books.

Continued discussion can be based on the existence of other defect-producing factors, such as drug misuse, or viral diseases for which vaccines are not predictably forthcoming. It is obviously clear that no abortion can be justified on a fetal indication—no fetus survives the abortion. It is equally obvious that abortion in such circumstances is performed for the sake of the parents. It is the parents who do not want an abnormal child; there is no evidence that a fetus does not want life and it cannot be consulted in the matter. There is no evidence that those who have congenital anomalies would rather not have been born. Such evidence might exist if suicide were more common among them, but it is not. So, while it is easier to feel that abortion is being performed for the sake of the fetus, honesty requires us to recognize that we perform it for adults.

We must, however, ask another question in the light of the wording of the proposed law. What is a “substantial” risk that the fetus will be born with defects? The risk of mongolism occurring in the infant of a woman over the age of 35 is eight times greater than when the woman is less than 25. Compared to that of the younger woman then, the older mother’s risk is grave, but in absolute terms it is minimal. At what absolute percent does gravity come in? One percent? Ten percent? Twenty percent? Should this decision be left to the patient? With abortion legal, will there be suits for malpractice against obstetricians for not informing the patient of the increasing risk with advancing age? And will discussion of the odds benefit the patient? These are questions rarely asked.

In the rape and incest clause, as in the anomaly clause, there is a specific spelling out of a circumstance warranting abortion not based on the precedence of maternal over fetal life. The child would be normal, and the child will be dead. Therefore, the reason for performing the abortion under these conditions must be that the mother cannot tolerate the mental strain. This was the essence of *Rex vs. Bourne*.

It would, however, appear logical that an indication of maternal strain be required. I suggest, for example, that the minimum evidence of maternal strain could be a willingness to consult a physician within five days of the occurrence of rape. This would permit the performance of a uterine curettage *before implantation has occurred*,

which is already legal and would have several advantages: It would be psychologically better not to know for certain that one had been impregnated by a rapist; it is less dangerous to curette a nonpregnant uterus; it would eliminate the well-known syndrome of the woman who "rapes awful easy," and would then like an abortion; it would also be easier to prosecute the rapist, if known, if early charges were pressed against him.

Some of the other more commonly adduced reasons for changes in present law do not withstand careful examination.

The law must be changed because physicians feel like hypocrites when they perform abortions for reasons that are not in accordance with the exact letter of the present law. Lest it be thought that the law has gone out of its way to make things difficult for the physician, Milton Helpern observes, in *Abortion in the United States*, that to his knowledge there has been no prosecution of a physician for an abortion performed in a *bona fide* hospital under proper jurisdiction in New York in the last 25 years. In the same book, A. F. Guttmacher makes a similar observation about Maryland. Whether the physician should feel comfortable or not is entirely irrelevant if the law is written for the protection of some common good. In fact, the destruction of a fetus should never be a comfortable matter.

The wealthy can get an abortion more easily than the poor, and this is discrimination. This argument is extraordinary. It is somewhat like saying that if a man is wealthy enough to move to a Moslem country and marry four wives, we must change the bigamy laws here because the poor are being discriminated against.

I am not suggesting that there is not such a phenomenon as the private patient exerting undue influence on her physician, but I do suggest the conditions are all in favor of the private patient appearing at that time and place as leads to an abortion being performed, and this set of circumstances occurs less frequently among ward patients. For example, earlier registration of private patients permits abortion by the vaginal instead of the abdominal route. Moreover, pressure exerted by obstetricians for psychiatric evaluation of patients before a D&C (dilation and curettage) becomes impossible leads to less complete assessment of the mental status of the patient, although it is known that with advancing pregnancy the mental stress frequently decreases.

The ethical values of part of the population should not be imposed on the country as a whole. If the law disregarded ethics and followed public practice only, the Civil Rights laws would never have been written.

Because of the way the laws are written, some hospitals restrict the number of abortions they will permit so as not to appear as if they are circumventing the law. With the new proposed law these restrictions might still be retained. After all, if a hospital were to perform a thousand abortions, it might be rather difficult to warrant

they were all for rape, incest, or the expectation of congenital anomalies.

Finally, we come to what I suspect is the real reason for the agitation for a change in the law: *There are 1,200,000 illegal abortions in the United States per year, and 5,000 or 10,000 women die as a result of them.*

Are the proposed changes designed to legalize 1,200,000 abortions? If so, I can see no reason for phrasing the law in the way proposed. In the words of Howard Taylor: "If you can find a medical indication for 750,000 abortions, you can find an indication for aborting anybody." If the proposed changes are designed to accord with *present* medical practice, the alleged 1,200,000 illegal abortions would still be illegal. On the other hand, if the proposed changes are to legalize the 1,200,000, perhaps the wording should be reconsidered.

Currently, about 10,000 therapeutic abortions are performed each year. If the changes in the law are accepted as proposed then I daresay an additional thousand or so abortions may well be performed. But let no one in his right mind think that this has anything to do with the 1,200,000 other abortions. And yet I get the uneasy feeling that this is exactly what the advocates of change are talking about. Otherwise I can see little reason why those who testify before legislatures in favor of changes in the law should bring up the million illegal abortions in discussing whether, on strict medical indications, there will in the future be 10,000 or 12,000 therapeutic abortions per year.

Another data analysis would seem advisable here. To get at the genesis of the 1,200,000 figure, we will have to go back to two studies. The figure is based on a study published in 1934 in *Birth Control in Practice* by M. E. Kopp. According to this study, one illegal abortion was recorded for every 3.55 live births. Therefore, since there are now approximately 4 million live births in the United States per year, there must be about 1,200,000 illegal abortions yearly. A pertinent question is on what sort of population sample were these figures based? The Kopp data came from the histories given by 10,000 women who attended the Margaret Sanger birth control clinic in New York City between 1925 and 1929. How representative was this group of the United States population at that time? To cite some highlights: 45.1 percent were foreign-born, 41.7 percent were Jewish, and 26.1 percent were Catholic.

I doubt that any first-year student in an epidemiology course would pass if he attempted to draw conclusions about the United States from such a sample.

The Kinsey Study

Another study, performed by Alfred C. Kinsey and his colleagues at the Indiana University Institute for Sex Research, showed that by the age of 45, 22 percent of the women interviewed had had, on the average, two in-

duced abortions. By extrapolation, then, there are approximately 600,000 illegal abortions per year. Again the question arises as to who these women were. First, there were not enough Negro or Catholic women in the group to even warrant analysis; 51.4 percent of the women in the study were between the ages of 15 and 24, and only 3.3 percent were over 55. For the urban, white female population (not even speaking of the country as a whole) comparative figures for the two age groups were 20.7 percent and 22.3 percent, respectively. Second, 82.4 percent of the women who provided the histories had some college education, whereas for the urban, white female population this figure was 13.2 percent. Third, the respondents in this study had an average of 1.09 children compared to 1.33 for an equivalent group of urban, white females, again disregarding rural areas, Negroes and Catholics. Finally, the sample included more single, widowed, divorced or separated women, and fewer women who were married only once and living with

“The massive increase in the performance of legal abortion (in Eastern European countries and Japan) has not rid the countries of their illegal abortion problems.”

their husbands. Once again, then, and this time at the level of about 600,000 illegal abortions instead of 1,200,000, we still do not have a representative population.

It is possible to quote some other equally unrepresentative studies, such as one of Indianapolis women in which only 2.6 percent had had an induced abortion, bringing the illegal abortion extrapolation numbers down to about 100,000. Similarly, Wiehl and Berry, in a study of a population sample from the five boroughs of New York City, arrived at an induced abortion rate of 4 percent. These figures point out that those who seek to dramatize the problem can use the 1,200,000 figure, while those who seek to play down the problem might put it at about 200,000. The real problem is succinctly stated in a footnote in *Abortion in The United States*: “The figures on abortion frequently used throughout the Conference by various individuals were based on personal estimates by the individuals themselves. No way has yet been found of obtaining reliable statistics which would give an exact figure for the total population.”

Furthermore, examining the figure of 5,000 or 10,000 deaths, I can say, unequivocally, that it is wrong. It is based on death rates from illegal abortion as given in 1936 by Frederick Taussig. He starts with the previously mentioned data from the Margaret Sanger clinic. These data were combined with those from 81 physicians with

country practices who gave their estimates as to the proportion of abortions to confinements in their rural practices. By so doing, Taussig arrives at a total of 681,000 abortions in the United States at that time, as against 2.4 million annual live births. This again yields the familiar 1,200,000 illegal abortions today for 4 million annual births. Using a guessed-at mortality rate of 1.2 per hundred abortions, based on an equally questionable German study, Taussig arrives by mathematical maneuvers at 8,000 deaths from abortion per year.

He caps this with the sentence, “A maximum of 10,000 abortion deaths in this country is nearer the truth.” His “estimations” are “confirmed” by the statement that there were 4,000 abortion deaths registered annually, which would be about doubled by the addition of 4,000 “concealed” deaths, making a total of 8,000. And this is confirmation!

If Taussig’s study was a wonder in itself, it is even more remarkable that the figures are still bandied about. If one in 80 patients walking into an abortionist’s office were to die, the modern abortionist would be out of business in no time. Moreover, there are now about 400 registered abortion deaths per year, with much better reporting than before. If we add Taussig’s proportion of concealed deaths we would arrive at approximately 800 deaths per year today. In Taussig’s study the overwhelming proportion of deaths were due to septicemia. Since then, however, we have seen the development of antibiotics. It would be reasonable to assume that the annual number of deaths due to illegal abortions today might be on the general order of 800 or so *at most*, which is bad enough without using data based on pre-antibiotic days.

If these spurious estimates of several hundred thousand abortions and several hundred deaths are used as a reason to legalize all abortions, the next question is what would be the result of such laws? Fortunately, we do not need to guess because the experience is at hand. Japan, the countries of Eastern Europe and Scandinavia have had such abortions laws for years. In fact, the Scandinavians have, in recent years, tightened the execution of their laws considerably, presumably because of disenchantment. So we now read of some Swedish women flying to Poland to have abortions that were refused in Sweden. One may argue that discrimination against the poor is again the case—but this time in Sweden.

Data are available on legal abortion rates in Eastern European countries and Japan prior to and after the liberalization of abortion laws. They reveal marked increases in the number of legal abortions once abortion laws were liberalized. For instance, the abortion rate per 1,000 population jumped in Hungary from 0.2 percent in 1949 to 17.8 percent in 1965; in Poland from 0.1 percent in 1955 to 5.6 percent in 1964; in Japan, from 3.0 percent in 1949 to 11.0 percent in 1961. Projecting those figures to the United States, the result would be between one and three million abortions per year. With

legal abortion on such a scale, the problem of illegal abortion would seem to be solved, but this is not so.

What has happened to so-called other abortions in those countries for which the data are available, the "so-called" term representing those patients who have not undergone legal abortion but have been admitted to the hospital because of either spontaneous miscarriage or a complication of an illegal abortion? Hungary, Czechoslovakia and Bulgaria appear at first glance to show a decrease—Hungary, from 14.1 percent in 1949 to 9.7 percent in 1965, Czechoslovakia, from 9.6 percent in 1953 to 7.8 percent in 1965; Bulgaria, from 9.4 percent in 1953 to 8.8 percent in 1961. But the figures may be deceptive. With a law allowing abortions freely, a number of patients who previously would have aborted spontaneously, will now be aborted legally. The category, therefore, contains a smaller number of spontaneous abortions than previously. If it is known what fraction of all conceptions is being aborted legally, the fraction of abortions now being induced that would have occurred spontaneously can be calculated. The appropriate correction can then be made in the category of other abortions. We find, therefore, that this mixed group of spontaneous and illegal abortions has increased slightly in some countries and decreased slightly in others. It is true that over that period of time new hospitals have been constructed and a change in hospital practice has occurred, so perhaps the data in this area are not as clear-cut as may be thought. We can be absolutely certain, however, that whether one should add or subtract one or two percentage points, the massive increase in the performance of legal abortion has not rid the countries of their illegal abortion problems—a point commented upon by innumerable physicians in these countries.

National Health Services

Furthermore, these countries have national health services so that patients can obtain abortions at hardly any cost. What would happen in the United States, where the cost of an abortion to the private patient is on the order of \$125, which the poor might not be able to afford anyway? One might then visualize the necessity, again to avoid discrimination, of a national program, which I suppose we would call "Aborticare." And how would private medical insurance plans handle *this* one? Pregnancy coverage figures can be calculated when the approximate duration of the average pregnancy is known. How many abortions per year would we permit under private or state insurance plans?

All this reveals that we understand little of the problem of illegal abortion. We may conclude from the foreign figures that a woman's problem is not always one of wanting a pregnancy terminated. Under certain circumstances she might not even want to report her pregnancy. The data tell us further that as abortion becomes easier

to obtain, people may avail themselves of the facility more frequently. In this event, the frequent emptying of the uterus increases the risk of conception. It is so much easier to have a pregnancy terminated by abortion than to maintain the constant motivation required to practice contraception. Note also that we have hardly discussed the complications that follow abortion. If we accept a 2 percent sterility rate, with an approximate 10 percent rate of moderate or severe psychiatric sequelae, then simple mathematics suggests the scope of the new medical problem that would appear on the American scene.

It seems highly pertinent to ask ourselves whether what we are talking about is, in fact, a change in the phraseology of the law to permit another few thousand abortions, or whether we have in mind, as would seem to follow from the testimony of those who have appeared before state legislatures, the legalization of a million or so abortions—without solving the illegal abortion problem.

The subject is indeed filled with irony. We have established a National Institute of Child Health and Development that specifically directs its attention to child development from the time of conception, and tens of millions of dollars are being spent to improve the lot of the unborn. Obstetricians write about prenatal life, articles appear in popular magazines discussing "Who shall speak for the fetus?", and books are entitled *Life Before Birth*. We have laws affecting trusts, inheritance, and compensation rights of the unborn, yet it would seem that we are about to change some laws so that the unborn shall have no right to life itself. Maybe we would do well to tread more carefully. The final question is raised: do hard cases make good laws?



JOHN HAZARD WILDMAN

LIKE A DYING TREE

You wear the blank, unseeing eyes of age,
Recording but not knowing,
Tight like a snake, asleep,
Full of a waking cunning, but to beauty dead.

Barren, barren, and beyond all hope
That bends the apple tree
Sprawled willingly beneath
An impregnating light,

This is your opportunity
For transformation and for other sight
Laid down upon your rocky field,
Your shaky plough and mule
That raises laughter and an easy rime:

Here stands your death-day courage waiting
Like a patient, dying tree.

THE SCREEN

It hardly seems possible that the western is on the wane. After all, this in the genre in which the movies first won attention (if you count the 1903 "The Great Train Robbery" as a western) and won more applause when the film makers moved to California and discovered the great open spaces. Later the genre won respect with such western "greats" as Ford's "Stagecoach," Stevens' "Shane" and Zinnemann's "High Noon," to mention a few. But now, perhaps because TV overplayed the field, westerns are in decline on our big screens. Their popularity is not, however—especially abroad where they're being made in Germany, Spain, and even in Italy, which is now sending such exercises in violence as the sadistic "Fistful of Dollars" and "For a Few Dollars More" over here. And what about Americans, those inventive movie makers who first thought-up westerns, made them a national institution, and gave them a place in the sun?

To judge by "The Way West," American western makers are not only lagging, but are repeating themselves with clichés of years ago and have even lost their touch with them. This outdoor drama, telling the story of a wagon train on its way from Missouri to Oregon Territory in 1843, had so much working for it that it should have been fool-proof: a novel by A. B. Guthrie, Jr., a production by Harold Hecht with fine color photography by William H. Clothier shot in various national parks and forests, direction by Andrew V. McLaglen (Victor's son, who has already displayed his skill with lively oaters), and a cast of thousands headed by Richard Widmark, Robert Mitchum, Kirk Douglas and Lola Albright. The finished result is dead, alas, and the two-hour running time terribly long.

It's difficult to pinpoint the blame—perhaps because there are too many pins sticking out. The screenplay, trying to include everything, crowds in troubles with Indians, the terrain, the weather, and enough personality situations to cover a full year's TV serial: birth, deaths, jealousies, adultery, insanity, and even a hanging just to make your blood run cold. McLaglen's uninspired direction allows the characters to become clichés, and it's not necessarily the actors' fault: Widmark as a solid but restless farmer, Douglas as the empire-dreaming, fascist-minded leader of the group, Mitchum as the stolid Indian scout who's going blind, Lola Albright as Widmark's wise, home-loving wife, Sally Field as a girl with an eye for the boys, etc., etc. Perhaps it was that "cast of thousands" or too big a budget that threw the makers of this inept film. At the end, I could only think of the finale of George Stevens' wonderful western with the little boy

crying, "Come back, Shane, come back." Come back, "Shane," indeed!

"The War Wagon" does considerably better—with its characterizations and as an action western. It is, however, in the current accepted mode for westerns, which means there is always a touch of humor and a slight spoofing of the genre running through it. I suppose we have to take this in stride for horse operas now; but can you imagine anything funny in the high standards or ideals set by "High Noon" or "Shane"? In any case, except for the overly-long introductory scenes in "The War Wagon," the film does very well what it sets out to do: show an ex-con's carefully planned efforts at revenge on the blackguard who framed him and took over his gold-rich land while he was in prison. This plot is not particularly new, but Clair Huffaker has written a lively screenplay from his own novel; and director Burt Kennedy has managed to work up quite a suspense and interest in the working out of the ex-con's plan to rob a shipment of gold from the villain's war wagon.

John Wayne, looking almost as fit and spry as he did in "Stagecoach" in '39, is fine as the wronged man who's quick on the draw and handy with his fists. And Kirk Douglas, discarding his pompous ostentation as the leader in "The Way West," is excellent as the brisk gunman hired by the villain (Bruce Cabot) to get Wayne but joins the robbery plan instead. Kirk's horsemanship is something to behold and provides the film's best gag at the finale. Howard Keel, as an Indian, Robert Walker and Keenan Wynn are also in the hold-up, which is, of course, the highlight of the picture and expertly photographed by William H. Clothier (again!). At times those magnificent mesas seem to be looking down on these quarrelsome mortals and thinking, Lord what fools.

Although not set in the U.S., "Africa-Texas Style!" is a western at heart. Made in Kenya by Ivan Tors and displaying good color photography of the locale and animals, it tells the story of a rancher (John Mills) who is interested in game ranching not only to save wild animals from extinction but also to further his theory that they can be bred and raised for food. He hires a Texas cowboy (Hugh O'Brian) and his Navajo pal (Tom Nardini) to capture the elands, gazelles, zebras, and other beasties and start them on domestication. The plot is a touch naive at times, but director Andrew Marton keeps things moving at a fast pace, and the round-ups and adventures are quite interesting. As a western, "Africa-Texas Style!" has most of the ingredients: good scenery, occasional fisticuffs, some fine riding and hunting, no Indians but plenty of natives, including a youngster who's a scene stealer, a touch of romance in which Adrienne Corri figures, and even a villain of sorts (Nigel Green). I'm not sure that rancher Mills proves his point, but you and the kids will have fun watching him try.

PHILIP T. HARTUNG

BOOKS

Looking into Manchester's dream world of politics

The Death of a President

WILLIAM MANCHESTER

Harper & Row, \$10

J. M. CAMERON

"Poland water and Ballantine's Scotch were acquired for the Chief Executive, champagne and Salem cigarettes—Jacqueline Kennedy switched back and forth between Newports and Salems—for the First Lady." "Her [Mrs. Kennedy's] camellia beauty was exquisite as Dresden, her lovely brown eyes like vast pools." ". . . Swindal looked down on hangars, a parked cluster of privately owned Jetstars, a complex of rust-red gantries, and, in the distance, the phallic skyline of downtown Dallas." "Here a shoe shuffled, there an eyeglass glinted; a cigarette glowed, shrinking to its doom." ". . . she thought his profile was like a sixteenth-century El Greco."

These quotations sufficiently illustrate the qualities of Mr. Manchester's writings. Pretentious, vulgar, it is a perfect medium for the message. The message is, roughly, as follows. President Kennedy and Jackie (as Mr. Manchester usually refers to Mrs. Kennedy) were at the center of a "brilliant world" destroyed by the accurate shooting of the contemptible and squalid Oswald. It was a world that abounded in English nannies, spirited horses, deeply polished shoes (Mr. Manchester again), dear millionaire friends who fly, often in their private planes, from all parts of the United States and even Europe to succor Jackie in her distress and perform such important duties as arranging flowers, dear old prelates, faithful valets, simple and patriotic generals, and many others; altogether, a glittering caste.

Contraposed to this brilliant world is the homespun world of the rich but uncultivated Texans grouped round the folksy Mr. Johnson, with Lady Bird ("a loyal wife and a stanch trooper," as

Mr. Manchester puts it in his all too imitable way) ever at his side. The two worlds come into collision after the assassination. But this is no tragic conflict; for both groups are composed of fundamentally decent Americans. The denizens of the brilliant world are too sunk in grief to behave with propriety before the bewildered Johnson; Johnson, with Lady Bird in support, nevertheless understands that the continuity of the State must be maintained through a crisis which he at first believes (according to Manchester) to be the work of "international Communism."

If one finds this only intermittently a dull book, it is surely because there is a bit of the voyeur in most of us; and what the voyeur sees is there all right; but what he sees he sees, so to speak, through a formula that organizes commonplace material to illustrate certain obsessions. This world of Mr. Manchester's is a dream world of politics in which fantasies of power and luxury arrange the material in ways that titillate a kind of curiosity but answer to no genuine emotion, illustrate no compassion that is not theatrical, satisfy no strong intellectual appetite.

The Kennedy Administration, the Dallas murder and its consequences, are all of them trivialized. The author keeps telling us that the Kennedy world is brilliant, crackling with intellect, wit and the finest artistic taste; but this brilliance is never shown. No one ever says a good thing, displays unusual interests or inquires into the foundations of American politics. Even the processes of politics are made to seem the work of Lilliputians. Here is an example. "The Cambodians were being impossible again. Prince Norodom Silhanouk seemed determined to wind up inside the Chinese tiger. He had just asked the United States to terminate economic assistance to his country. Q: Should our ambassador in Phnompenh reason with him? A: He should not. Kennedy was

blunt. All aid was to end immediately, this very afternoon." So much for the impossible Cambodians. But real life breaks in; for "while Kennedy had been instructing the State Department to tell off the Cambodians" Mrs. Kennedy "had entered the yellow study" wearing "a gown of mulberry-colored velvet."

One of the curiosities of the book is the attitude to Oswald. Mr. Manchester is very knowledgeable about Oswald's innermost thoughts and even professes to know the exact moment when Oswald was going mad. He is very fierce with those who doubt the accuracy and judgment of the Warren Report. He portrays Oswald as a victim, but combines this portrayal with a contempt that would only be in place if Oswald had at least the dignity of a responsible criminal. "Kennedy . . . was spectacularly handsome. Although Oswald's voice hadn't yet lost its adolescent tone, he was already balding and he had the physique of a ferret." The rest of this sickening passage is better not quoted, though it is impossible not to note that in the catalogue of Kennedy's spectacular achievements, contrasted with Oswald's record of failure, is his winning of a Pulitzer Prize.

There is one episode, out of the many of which Manchester gives an account, that I treasure. It is the eve of the funeral in Washington. The Kennedys, apart from Rose, Robert and Jacqueline, are dining with the house guests: McNamara, Phyllis Dillon, Dave Powers, Aristotle Socrates Onassis. This last, says Mr. Manchester, "provided comic relief of sorts. They badgered him mercilessly about his yacht and his Man of Mystery aura. During coffee the Attorney General came down and drew up a formal document stipulating that Onassis give half his wealth to help the poor in Latin America. It was preposterous (and obviously unenforceable) and the Greek millionaire signed it in Greek."

There is a lot of nutriment in this

story for anyone who holds that the existing configuration of political and social forces in the United States is moving towards catastrophe. This remarkable notion of the comic could only be entertained by men *hubris* possesses. There is the touch of nervousness revealed by Mr. Manchester's "obviously unenforceable." There is the use of the language of Plato and the New Testament. Perhaps one should remind the author and Mr. Onassis of the famous occasions when a man wrote a proclamation in Hebrew, Greek and Latin. When he was asked to take it back his reply was: What I have written, I have written. The comic Mr. Onassis may discover that what he has written, he has written, though he may not be so lucky as to get away with half.

The Use of LSD in Psychotherapy and Alcoholism

EDIT. HAROLD A. ABRAMSON

Bobbs-Merrill, \$17.50

DANIEL J. LEARY

In spite of the wide public interest in LSD, I suspect this compilation of thirty-six papers delivered at the "Second International Conference on the Use of LSD in Psychotherapy and Alcoholism" will prove to be a drug on the commercial market. The volume's 697 pages of small print packed with psychological and medical jargon is likely to afford a rather bad trip for the average lay reader more interested in the drug's kicks than its cures.

This difficulty, of course, in no way reflects on the fifty doctors, scientists and psychiatrists from all over the Western world who delivered the papers in South Oak Hospital in May 1965. The book obviously was meant for professionals devoted to highly experimental approaches in probing human motivations and mental disturbances. However, if the lay reader doesn't panic in the initially unnerving and unfamiliar terrain, there comes a time of white light in which a number of the papers fascinatingly record what may well be, as the jacket blurb has it, "one of the greatest breakthroughs in psychotherapy in the last sixty years."

The papers are arranged in eight groups; however two of these groups constitute two-thirds of the papers and represent the major therapeutic approaches used with LSD: psycholytic therapy in which small doses, from 30 to 200 micrograms of LSD, are used to produce rapid regression and transference in a more-or-less standard psychotherapy; and psychedelic therapy in which high doses, 400 to 1500 micrograms, are used to arrive at so-called cosmic, mystic experiences, oneness and ecstatic joy. In psycholytic therapy one of the most interesting variations on standard approach is the necessity for closer physical and emotional intimacy between patient and therapist because of the more rapid dissolving of the patient's ego boundaries and his consequent need for immediate support and understanding. Dr. A. Joyce Martin, for example, presents a case history in which the patient "asked the therapist to lie on the bed with him, which she did, and he put his arm across her shoulders and said he felt merged with her as one person and they were going into a tunnel together." I fear Freud would frown on this sort of thing, but in the discussion afterwards Dr. Martin explained that for her LSD is a way of progressing rapidly from the oral to the genital age "and then we can use a form of orthodox analytic approach."

The psychedelic group of papers is entitled "Psychedelic Therapy, with Special Reference to Alcoholism." In these experiments enough LSD was used to produce "transcendental experiences" in many of the alcoholics. The effects were dramatic. According to a former director of the Alcoholics Program in Saskatchewan, the recovery rate of those alcoholics who had taken LSD and were observed over a three-and-a-half years period "ran around sixty percent; and the improved category . . . brought up the recovery rate to around seventy-five percent." It should be noted that in this usage of the drug, as in all the others, the experts did not see it as some magical potion but rather as a catalyst to be administered in a therapeutic setting using all other resources available, specifically in this instance, Alcoholics

Anonymous.

Many of the psychedelic-therapy papers treat of matters of even more direct interest to the lay reader. For example there are some devoted to the psychotomimetic reactions to LSD; i.e., the madness-mimicking effect of these substances. Thus a psychiatrist can have some direct experience of what it is like to be a schizophrenic, and a patient in some cases can "hit bottom" in his psychosis sooner and in a controlled situation. The taped LSD sessions of both psychiatrists and patients are perhaps not as sensational as those reported in the popular press, but they are totally reliable and together with the taped discussions after each paper they provide much more easily assimilated knowledge of the theories in practice than the papers themselves.

It should not be too long before some enterprising journalist begins to sugar-coat the sugar cube by writing up the experiences, here austere presented, of experts who actually live in water twenty-four inches deep attempting to relate with LSD-fed dolphins. Again I expect I will soon see in print an interview with the female psychologist who has invented a non-verbal procedure for borderline schizophrenics to discharge hostility. At a crucial moment in a drug session one of the patients "began spitting in her face. He was kept spitting, as hard and fast as he could, until he burst into tears and fell back on the bed, sobbing out the release he felt."

Perhaps the most challenging areas covered are those which seem to suggest a common origin for insanity, alcoholism, religious mysticism and LSD experience. I say "suggest" because of the wide range of opinion reflected in this volume, a range that juxtaposes the scientific imaginativeness of William James with the logical positivism of those seemingly more interested in the procedure of a "double-blind" test than in the results. There are documented accounts of "stigmata" and "exorcism" while undergoing psychedelic therapy. There is a report about twenty theological students who received LSD on Good Friday and had what could perhaps be called a mystical experience. But then,

of course, a mystical experience is hard to pin down. According to Dr. Sidney Cohen we may one day reduce it to "a dys-synchrony of the reticular formation of the brain." Shades of William James!

The papers and the discussions make it quite clear that the use of LSD in therapy as well as the implications it may have in understanding the human mind and that mind's experience of something that may be other than human is controversial, experimental, but certainly rewarding. Thus in the light of this volume it seems absurd that LSD has been taken off the legal market. In the words of Dr. Frank Fremont-Smith, the conference's chairman, "I just want to go on record that I thoroughly disapprove of our being in a situation where people who are reliable and who have shown confirmed reliability in research are unable to proceed with their research, and where new people cannot come into the field excepting under curiously narrow and restrictive arrangements."

Go to the Widow Maker

JAMES JONES

Dial, \$7.50

PETER SOURIAN

Ron Grant is one of the two best playwrights in America (the other being Tennessee Williams). At 37 he is in the process of shedding an obsolete, if effectively guilt-provoking, 54-year-old mistress of 17 years' standing, Carol Abernathy, whose beefy steer of a husband's money helped Grant at the outset of his career.

Now Grant will begin to live Truly. He is off for Jamaica to learn skindiving and to discover in the improbable depths, à la Hemingway, though not at five in the afternoon, what it is to be a man. Enroute he runs into lovely Lucky Videndi, a maneater in several respects, who boasts of having slept with 400 men, though she is outraged that Grant should try to make her on their first high-schoolish date (hamburgers at P. J. Clarke's), and subsequently more highly yet more artificially outraged, in effect, that he'd ever had a mistress at all be-

fore she herself rose lily-white from the sea on a scummy oyster-shell for his delectation.

Grant marries the whore, and they live happily ever after, once they've adjusted somewhat to the fact that they are both empty unloving people, each with a self-admiring propensity for emotional dishonesty.

Having undertaken to review a book before reading it, on the strength of its having been written by a man who has written books you value, and finding you have a bad book on your hands, you ask yourself whether or not to beg off from the task. But it is not unuseful to wonder what goes into the making of a bad book by a good writer. Furthermore, even at his worst, and, paradoxically, at his most dishonest (as in *Go To The Widowmaker*), like Norman Mailer, James Jones *tries* to be honest, and thus speaks in an authentic if often unattractive voice.

One of the very few things Ron Grant's creator and more or less direct alter ego has had in common with Ernest Hemingway has been a real capacity for appreciation of the thing-well-done. This capacity has engendered an attitude productive of literature: enough desire toward the object or event in question to make a romance of it, and enough counterbalancing love of it as it really is, for better or worse, to bother to know and describe it well, without sentimentalizing.

Even in the elephantine *Some Came Running*, that grotesque monument to the vanity of forsaking one's own real talents and insisting childishly on that which one cannot do, there is, for example, the nice account of just how it is to drive long stretches on American highways. And the rich, unforgettable portrayal of Army life, *From Here To Eternity*, is crowded with absolutely authoritative depictions of exactly how a thing is done—rituals of drill, orderly room, drinking on pass, payday poker, alerts. Here the robustly esthetic side of Jones' nature is functioning, and as a result even the normally dough-like Jones prose rises.

This interest in the thing-well-done also involves an understanding of the

deep pride a man may take in his own abilities, a pride which gives a man enough to live well, whatever else is happening to him and around him, a pride worth preserving even at a heavy price. Though there is masochism in Robert E. Lee Prewitt, the bugler-boxer in *From Here To Eternity*, pride is very much there too, and mitigates the pathetic dependency fears that can lead a man to huddle at the teats of that great institutional sow, the Army, for nourishment.

Jones then, can tell us about the thing-well-done, and about pride. He can also tell us truths about life in a highly-structured situation, because he seems to like the safety of order. And he can tell us something about men, because he likes them, if they are not too directly similar to himself, in which case he does not seem to. Al Bonham, for example, Grant's skindiving teacher in *Go To The Widowmaker*, is more interesting to Grant, to Jones, and to the reader, than Grant's purportedly major interest and wife-to-be, the uninterest-

"We have to get out of our little nunny world"

the new nuns

Edited by **Sister M. Charles Borromeo, C.S.C.**

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ing Lucky Videndi, who in fact interests neither Grant, nor Jones, nor the reader, in spite of Jones' unmannerly insistence that all three *take* an interest in her.

Jones cannot tell us much about women in their own right, because he does not appear to care for them, and yet in *Go To The Widowmaker* he wishes to, which leads him into shallow writing. It is no doubt a good thing for a writer to try to overcome a limitation in range, but it is no good for him to pretend he has already done so.

As for sex, it seems to interest Jones more as a tiresome proving-ground for manhood than as a field for lush play. The many so-called sexual passages (reading them, one's sense of the meaning of the word *vulgar* is depressingly revitalized) are not worth a single breathless kiss in Henry James.

Another major difficulty lies in the fact that much of the story is told from Grant's point of view. Grant has a number of limitations as the main agent of perception. Constantly grading himself on everything he does, he has too little self-regard to see honestly. Suspicious as the old husband in a French farce jealously guarding his altogether trustworthy young wife, Grant is liable to put credence in the person who flatters him most deftly. This would all be very well if Jones could successfully distinguish himself from a character superficially at least so much like himself and thereby convey his own attitude by compensating for the differences between them. But with the best will in the world it is hard to receive any secret messages Jones might be sending us through Grant.

To take a simple example among many, Grant is continually protesting to Bonham, his skindiving teacher, how afraid he is, doing such difficult things underwater. Bonham then keeps telling Grant how brave he is. But we never really find out whether Bonham was "taking" Grant by flattering him, or was really impressed by Grant's bravery. The result is that our impressions of both Bonham and Grant are blurred.

As for style, there are even many grammatical lapses in the book. A

freshman comp teacher could help Jones out in this respect, and it is to be wondered if Jones listens to friends, or if his friends are friends.

Having had to say so many negative things one nevertheless respects the earnest attempt to move onto—for Jones—a well-nigh impossibly difficult terrain of experience, the adult world of men-and-women. There are a number of writers whose prose is just fine, but you don't give a damn what their next book is going to be. Jones' greatest strengths have to do with his unliteraryness. He writes with himself, blunt instrument as that may be. He sells well partly because people tend to like a writer they feel is immediately and personally committed to his material, who seems to be running some kind of danger as he writes, even if, as in this case, they end up cheated. Much of the material is undigested, more than verging on the clinical. Sometimes it is as if Jones had found out a few truisms about, say, repressed homosexuality, an oft-stated theme in *Go To The Widowmaker*, and ran off to write them down in order not to have to believe them—that is to say, in order not to undergo the emotional process by which they might become a real part of his understanding of life.

Moral Law in Christian Social Ethics

WALTER G. MUELDER

John Knox Press, \$5

Elements for a Social Ethic

GIBSON WINTER

Macmillan, \$7.95

MAX L. STACKHOUSE

The varieties of contemporary Protestant ethics most discussed during the past decade can be broadly characterized as a "new morality" or situationalism. These varieties of ethical theory have tended to be anti-philosophical and anti-sociological. Now, in two quite different new publications, a major Protestant denominational and ecumenical moralist and a prophetic critic of the church have resumed what was thought to be fin-

ished—the traffic between ethics and philosophy and between ethics and social science.

Walter Muelder, in the more philosophical effort, has reasserted the validity of the personalist perspective, and more particularly, the "Moral Laws" as developed in the tradition of Edgar Brightman, Harold DeWolf and Muelder himself. Written originally as a companion volume to *Foundations of the Responsible Society*, *Moral Law* is in one sense a "school" writing. It is an attempt to extend the intrinsic logic of a given philosophical position into a new set of controversies. There are points, however, when the book exceeds this task; and when it does, it serves to reintroduce what had become an eddy in the flow of the discipline into the mainstream.

Muelder builds his case by systematically relating three modes of discourse that treat problems of person and community as a moral problem: the idealistic philosophical tradition from Leibniz to Brightman, the historicist perspective which includes Hegel, Marx, Troeltsch and Boodin, and a sociological perspective that especially accents G. H. Mead and Robert MacIver. From this plethora of resources, Muelder extracts a social philosophy that is based on an "organic pluralism . . . consistent and coherent with the metaphysical actualization of the person."

Indigenous to the vision that he has portrayed are, according to Muelder, a series of normative structures that become the basis of a normative social ethic when properly articulated. These laws are not based on moral consensus, nor on natural law as usually understood, but "their validity is found in their rational and empirical coherence as they come to terms philosophically with the whole range of moral data." The remainder of the book, then, is an attempt to show that, in fact, these laws better account for personal and social moral experience than other major alternatives.

In response to his attempt, there is one critical question that the reader must address to Muelder. Has he really grappled with the post-idealistic philosophical tradition, the post-Marxian his-

toricist position, the post-MacIver sociology, and, most important, Niebuhrian and post-Niebuhrian ethics? Although mention of many of the central figures holding more "relativistic," "dialectical" and "conflict" perspectives is made, one has the suspicion that they are not really engaged, but either by-passed or tucked in an appropriate niche. The personalist movement will not and should not get a full hearing until it comes to terms with these movements in a way that allows itself to be shaped by them. The only way to a contemporary ethic is through the twentieth century

Nevertheless, personalism revised, if not personalism revisited, may well become one of the crucial ingredients in the rebuilding of systematic ethics that is surely a task of the next generation. (The development of personalist ethics by several continental Catholics, where the philosophical grounding runs deep, also makes this prospect a potentially important one in the ecumenical discussions).

Winter has produced his most significant book to date in *Elements for a Social Ethic*. In this attempt to relate social ethics to, and at the same time differentiate it from, the social sciences, Winter focuses on the question of meaningful identity, personal and social. To deal with these problems, he moves from the development of a social definition of identity in G. H. Mead, primarily based on the relation between human creativity and social conditioning, to the more recent debates between

the functionalists and the voluntarists (Parsons and Mills and their disciples). Both these groups, says Winter, are concerned with the direction and character of society and the effects on people, but both operate from value-laden ideological positions.

To adjudicate the dispute, Winter appeals to the phenomenological method and a focus on "lived experience," especially as this approach is developed by Alfred Schutz. The test, thus, is the common sense world, for it is the "criterion of adequacy for any science, ideology, or ethic of the social world, (and further) . . . the practical world of doing is the paramount reality within which truth is to be sought—the reality which thought seeks to clarify." Further, one of the key accents in the phenomenology, as he works it out, is intentionality, that catalytic power of lived experience characterized by "spontaneous activity that directs itself toward the future in constituting its world." Thus, personal and social identity, the problem with which Winter started, is known by the regularities of "projects" in which it is engaged in the common sense world. Social science clarifies the regularities and makes the identities articulate.

Social ethics, then, "translates the discerned regularities with which the social sciences clarify the human project into the practical context of societal responsibility. Social ethics converts an account of conditions into discernment of a situation; it translates an illumination of social identity . . . into an awareness of social possibilities in light of a human future." In this process of translation, social ethics selects among the various social scientific perspectives for the clarification of specific problems according to a comprehensive notion of human fulfillment and responsibility.

In evaluating this work, we must keep in mind, I think, that Winter entitles it *Elements for a Social Ethic*. The title suggests that his thought has not stopped moving and that this must in part be read as a progress report. As such, it offers a vision of large steps taken already and of more to come. One hopes so, both because of the promise of the

effort and because there are frankly some problems that need to be cleared up.

First, we might ask whether Winter has not too quickly accepted what is fast becoming the conventional wisdom about Parsons' and Mills' ideologism, and thus obscured the fundamental and serious differences between Mills and Parsons. Secondly, although related to the earlier problem, it is not perfectly clear to this reviewer that the phenomenological appeal to "lived experience" will finally adjudicate the issue, for what guarantee do we have that peoples' "lived experiences" are fundamentally the same and can provide a common ground? Thirdly, as Winter turns to the translation of social science by social ethics, a series of terms are introduced in the discussion that are not given the same kind of theoretical grounding that sociological portions of the book received: "meaning", "freedom", "responsibility" and "historical fulfillment."

Both Muelder and Winter attempt to find or found an ethical perspective that

● ● ● ● ● ● ● ● ● ● REVIEWERS

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is a corrective to many of the trends in contemporary ethics without falling into the pitfalls of the opponents of the newer trends. Neither wants to rely on natural law or on divine command that requires special revelatory claims. And if the readers have numerous questions and even quarrels with them about method or content, they must nevertheless agree that Muelder and Winter in their own distinctive ways are raising some of the fundamental issues that must surely be the problems of serious ethics beyond situationalism.

CORRESPONDENCE



(Continued from page 403)

significant number of the citizens of the country that it governs, for reasons other than gravely criminal activity internationally recognizable as such, is an immoral government.

The Hanoi government has executed what is estimated to be at least 50,000 citizens of the country it governs, because they belonged to what the government termed an "exploitative" class.

The Hanoi government is an immoral government.

I suggest examination of the above reflections. They obviously involve simplification and are debatable. But I am inclined to think that the reasoning that leads to the assertion that the war in Vietnam is immoral also involves simplification and is also debatable. I object to your seeming assumption that the latter line of reasoning adequately copes with the complexity of the situation and leads to undebatable conclusions. JOHN J. MAHER

Revolutionary Reflex

Guatemala City

To the Editors: I have just finished reading the article "Counter-Revolutionary Reflex" by Conor Cruise O'Brien (March 3), and found it to be the most succinct and direct indictment of Johnson's foreign policy that I have read to date.

It is hard to explain to people who have never been outside continental U.S.,

let alone lived outside it, that there are many sets of values that exist in foreign lands which not only don't coincide with U.S. values but many times are in direct conflict with them. Hatred or fear of Communism is not a very prevalent feeling where hunger and misery exist, certainly not as prevalent as hatred and fear of hunger and misery themselves can be.

How can we put it across to President Johnson, and to the U.S. public, that two-thirds of the world's population is in slavery; slavery to hunger, to disease, to ignorance, but, thank God, not all of them are slaves to hopelessness. That these people are in the plight they are in is not only an accident of history, but because there are many rich men in their own countries and in foreign lands whose wealth is in direct proportion to the poverty of the people who have built this wealth for them. This situation must change, and as Mr. O'Brien says: "Why should these people [the landowners, usurers, sweat-shop owners, corrupt political bosses, parasitic bureaucrats] allow themselves to be peacefully ousted as long as they have money to pay others to defend their interests?" There is no reason to think so. There is only one answer for many of these people: armed revolution. And whether he be a Communist or not, what right has the U.S. to say that this person has not the right to take up arms to defend his life against the white-gloved murderers who are starving millions of his brothers?

The U.S. proclaims itself the defender of freedom. Freedom from what, or for what? It talks about the free peoples of the world. In what sense are they free? Free to work where they want? No, because there are no jobs. Free to live where they want? No, because they haven't even the food for life itself. Free to say what they want? No, because they can't raise their voices in protest against their exploiters without being jailed for Communism. Free to think what they want? No, because they've never even had the opportunity for schooling. Freedom for what? God knows.

Cuba calls itself "territorio libre de América." Is it? I don't know, because I haven't been there, but Fidel and his

compatriots aren't talking about political freedom, but freedom from hunger, from ignorance, from U.S. control. If Cuba is not free in this sense, then even less so is the rest of Latin America with the exception of Mexico (which had its armed revolution, before the U.S. realized it had its divinely-given role). Political freedom is useless for a hungry people, because their choice of political bosses is usually between two members of the same exploiting class, who have the power to push them from hunger to starvation at the least sign of discontent with their lot.

The U.S. today is the most powerful and most evil country in the world in the eyes of many of the world's poverty-stricken. When I look at Vietnam, at the Dominican Republic, and think "where next?" I find myself agreeing with them, and I rage at my helplessness.

(REV.) THOMAS R. MELVILLE, M.M.

Catholic Education

Madison, Wisc.

To the Editors: Mr. Hassenger in an article entitled "Price Tags for Catholic Education" (May 12) stated: "An increasing number of people would certainly like to be persuaded of the viability and desirability of a separate Catholic Educational System, particularly in the light of its rather unimpressive effects, in all available research to date." Another social scientist, Andrew Greeley, stated in *The Education of Catholic Americans*: "There is no question that those who have had a 'comprehensive' education in a religious system will be *notably different* [my italics] both in religious behavior and social attitudes from those who did not have such schooling." Greeley's statement, the result of some research, seems to partially contradict Mr. Hassenger's.

In addition to this inaccuracy, I find myself even more concerned over a number of other things: (1) Hassenger's apparent overconfidence in the tools available to the social scientist at the present time coupled with (2) a demand for immediate action by Catholic educators. A number of Notre Dame social scientists, Seidl, Lee and now Hassenger, at least

in their popular articles, pretend a clairvoyance that seems to elude their professional colleagues as they indicate causal relationships with rather flimsy data. Other scholars would be much more reserved in interpreting the insignificant amount of research available on the Catholic school system.

Let Mr. Hassenger indicate trends with his X, Y and Z dollars and 1, 2 and 3 parishes but, please ask him to consult psychologists, psychiatrists, philosophers and theologians to assist in the interpretation of data before making any "omnibus" statements about "unimpressive effects."

FRANK WRAY, FSC.

Religious Publishing

New York

To the Editors: In view of your "Spring Book Issue" (May 12) I would like to add a brief postscript to the letter from Miss Wijnhausen, President of Sheed & Ward, concerning the recent *Commonweal* editorial on "Religious Publishing."



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Concerning the impossibility your editorial mentioned of a magazine like *Commonweal* selecting and reviewing even a fraction of the better Catholic books published each season, I would like to offer one criticism and one proposal. Aside from the failure to mention a single religious book in *Commonweal's* "Spring Book Issue," (*America's* "Spring Book Issue" of May 6 carried reviews and notices of 24 religious books) there seems to be a kind of hyper-reaction to a dead ghettoism in your general policy of devoting most of the limited reviewing space to secular books. Since most *Commonweal* readers probably see the reviews in half a dozen general weeklies—N.Y. *Times Book Review*, *Saturday Review*, N.Y. *Review of Books* etc.—there is little point to a *Commonweal* appraisal unless it shows some specific Christian insight. Is not this latter presumably what distinguishes your journal from, for example, *The New Republic*? If *Commonweal* is really concerned over the future of religious publishing, you could express this concern by seeking to review the major religious books just as eagerly as you seek to advertise them. The more concrete proposal is that as a service to its readers, *Commonweal* emulate a magazine such as *The Christian Century* by publishing, in addition to review articles, short notices regularly of important new religious books.

Secondly, we at Herder and Herder take exception to the term "denominational publishing," which your editorialist used, just as we assume that *Commonweal* would object to being described as a "denominational magazine." The term connotes some kind of official Church organ, and could be more suitably applied to "non-profit" publishers which are controlled by members of religious congregations. The use of the term "denominational" does not do justice to the high critical and creative office lay journals like *Commonweal* or independent publishing firms like Herder and Herder perform in opening up new areas for discussion and in encouraging unhampered exploration of the major issues confronting today's Christian.

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Is COMMONWEAL a Catholic magazine? This is a question people often ask. If to be Catholic means to be an organ of the Church or of some official organization in the Church, the answer is obviously "no." The hierarchy has certainly given us no special mandate to speak. Nor can we claim to be the voice of the Catholic laity as a group—who can? If these things are what is meant by being Catholic, we would have to abdicate all claim. For all of its life, however, COMMONWEAL has been accepted as in some sense a Catholic publication, and with reason. The magazine is and has always been published by a small group of journalists who are themselves Catholic. They are men who are concerned with Catholicism, and with the meeting of spiritual and temporal. It is this characteristic that has primarily distinguished COMMONWEAL from other journals of opinion.

It is a fact, too, and not without significance, that most of our readers and many of our writers are also Catholics who have comparable interests. Such readers look to us for our views as Catholic laymen on the Church and the world, and such writers turn to us precisely because in our pages they can express these same concerns. Then too we have many non-Catholic readers and writers, and this also we would cite as part of being Catholic. Our non-Catholic readers look to us for a certain kind of Catholic thinking. Our non-Catholic writers know they are welcome in our pages because we conceive of the Catholic spirit as one which welcomes good thinking and good writing, wherever found.

—COMMONWEAL, May 19

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